UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

# GOLDEN GATE BUILDING

## FINAL

## ENVIRONMENTAL IMPACT REPORT

PUBLICATION DATE: JUNE 1987

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Golden Gate building :
final environmental
1987.

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# I. INTRODUCTION

This is the Final Environmental Impact Report (EIR) for the proposed Golden Gate Building. The Final EIR contains a list of persons, organizations, and public agencies commenting on the Draft EIR, the public comments received on the Draft EIR, the responses to those comments, the Draft EIR, and the distribution list for the Final EIR. All written comments received during the public review period and all comments made at a public hearing before a representative of Hastings College of the Law are presented verbatim in the section, Comments and Responses.

The Final EIR is available to the public for a 30-day period. After that, the Final EIR will come before the Hastings Board of Directors for certification. The exact date, place, and time of the Hastings Board meeting will be posted, noticed, and publicized. To certify the Final EIR, the Board must conclude first, that the document has been completed in compliance with the California Environmental Quality Act and second, that the Board has reviewed and considered the information within the EIR prior to approving the project. After considering the Final EIR, the Board will make specific findings as required under CEQA. In conjunction with making findings, the Board will decide whether or how to approve or carry out the project. If a Statement of Overriding Considerations is made, the statement would be included in the record of project approval. Following project approval, the Board will file a Notice of Determination with the State Office of Planning and Research.

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# II. COMMENTS AND RESPONSES ON THE DRAFT EIR

## A. LIST OF COMMENTATORS

The following is a list of persons, organizations, or public agencies commenting on the Draft EIR:

LETTERS WERE RECEIVED FROM:

1. San Francisco Neighborhood Legal Assistance Foundation
2. San Francisco Landmarks Preservation Advisory Board
3. San Francisco Muni Railway
4. St. Anthony's Foundation
5. Sierra Club, San Francisco Chapter
6. Tommy A. Conner
7. North of Market Planning Coalition
8. San Franciscans for Reasonable Growth
9. San Francisco Department of City Planning
10. Michael M. Levin
11. The North Mission Association
12. California Department of Transportation
13. Merchandisers Inc.
14. Sue Hestor
15. Council of Community Housing Organizations
16. Foundation for San Francisco's Architectural Heritage
17. California Native American Heritage Commission

COMMENTS AT PUBLIC HEARING WERE RECEIVED FROM:

18. Don Feeser, President, North of Market Planning Coalition
19. Assemblyman Art Agnos
20. Randy Shaw, Tenderloin Housing Clinic
21. Tom Pulliam, Director of Litigation for the San Francisco Neighborhood Legal Assistance Foundation
22. Brad Paul, North of Market Planning Coalition
23. Sue Hestor, San Franciscans for Reasonable Growth
24. Lillian Crosthwaite, North of Market Planning Coalition/Resident
25. Paul Wartelle, San Francisco Housing and Tenants Council
26. Wayne Luk, Center for Southeast Asian Refugee Resettlement
27. Joe Kaufman, North of Market Planning Coalition, Zoning Committee Chair
28. Seamus Kilty, St. Anthony's Foundation
29. Carol Foerster, Tenderloin Neighborhood Development Corp.
30. Peggy Kranz, North of Market Planning Coalition, Board of Directors
31. Kelly Cullen, Resident
32. Mark Bender, Hastings Student
33. Dante Ventresca, YMCA Recreation Center
34. Clarissa Warde, San Francisco Grey Panthers
35. Tommy Conner, Student
36. Thomas Dedman, North of Market Planning Coalition
37. Marsha Sherman, North of Market Child Development Center
38. Jonathan Scop, Student
39. Richard Park, Travelers Aid Society, Executive Director

40. Han Herb, Student
41. Margaret Lane, Student
42. John Bardis
43. Leon Zecha, Tenderloin Community Worker
44. Kathleen Baker, Resident
45. Hector Chinchilla, Student
46. Brad Paul, North of Market Planning Coalition

## B. WRITTEN COMMENTS AND RESPONSES

|  | Comment/Response Page |
|---|---|
| San Francisco Neighborhood Legal Assistance Foundation | 7/9 |
| Landmarks Preservation Advisory Board | 22/23 |
| Muni | 24/26 |
| St. Anthony Foundation | 29/30 |
| San Francisco Bay Chapter Sierra Club | 31/32 |
| Tommy A. Conner | 37/42 |
| North of Market Planning Coalition | 47/60 |
| San Franciscans for Reasonable Growth | 64/118 |
| San Francisco Department of City Planning | 124/133 |
| Michael M. Levin | 147/149 |
| North Mission Association | 152/153 |
| California Department of Transportation | 155/156 |
| Merchandisers Incorporated | 158/159 |
| Sue C. Hestor | 160/168 |
| Council of Community Housing Organizations | 181/183 |
| Foundation for San Francisco's Architectural Heritage | 185/186 |
| Native American Heritage Commission | 187/188 |

## II. COMMENTS AND RESPONSES ON THE DRAFT EIR

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## C. COMMENTS AT THE PUBLIC HEARING AND RESPONSES

Comment/Response

18. Don Feeser, President.................................. 190/230
North of Market Planning Coalition

19. Assemblyman Art Agnos.................................. 191/231

20. Randy Shaw.............................................. 193/232
Tenderloin Housing Clinic

21. Tom Pulliam.............................................. 194/232
Attorney

22. Brad Paul.................................................. 195/233
NOMPC Staff

23. Sue Hestor.............................................. 202/235
San Franciscans for Reasonable Growth

24. Lillian Crosthwaite................................... 205/238
NOMPC/Resident

25. Paul Wartelle.......................................... 205/238
SF Housing and Tenants Council

26. Wayne Luk.............................................. 206/239
Center for Southeast Asian Refugee Resettlement

27. Joe Kaufman............................................ 207/241
NOMPC Zoning Committee Chair

28. Seamus Kilty............................................ 208/241
St. Anthony's Foundation

29. Carol Foerster.......................................... 209/241
Tenderloin Neighborhood Development Corporation

30. Peggy Kranz............................................. 209/242
NOMPC Board of Directors

31. Kelly Cullen............................................. 210/243
Resident

32. Mark Bender............................................. 211/244
Hastings Student

33. Dante Ventresca .......... 212/244
YMCA Recreation Center

34. Clarissa Warde .......... 213/245
Grey Panthers

35. Tommy Conner .......... 214/245
Student

36. Thomas Dedman .......... 216/246
NOMPC

37. Marsha Sherman .......... 217/247
North of Market Childcare Center

38. Jonathan Scop .......... 217/247
Student

39. Richard Park .......... 219/247
Travelers Aid Society, Executive Director

40. Hans Herb .......... 220/247
Student

41. Margaret Lane .......... 222/249
Student

42. John Bardis .......... 223/249

43. Leon Zecha .......... 226/250
Tenderloin Community Worker

44. Kathleen Baker .......... 227/250
Resident

45. Hector Chinchilla .......... 228/251
Student

46. Brad Paul .......... 229/257
NOMPC

SAN FRANCISCO
NEIGHBORHOOD LEGAL ASSISTANCE FOUNDATION
LITIGATION & TRAINING COORDINATION UNIT
49 POWELL STREET
SAN FRANCISCO, CALIFORNIA 94102
TELEPHONE (415) 627-0200

RECEIVED
APR 21 [illegible]
[illegible]

18 April 1986

Office of the Dean
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, California 94102

RE: **Comments on Draft Environmental Impact Report (EIR) for Golden Gate Building**

Dear Dean:

The draft EIR does not adequately analyze and discuss the impact of the proposed building on low-cost housing in the Tenderloin for the following reasons:

1. Hastings is already obligated (by the July, 1982 McKeon v. Hastings judgment) to provide 375 units of low-cost comparable replacement housing and to date has not provided a single one of these. 1-1

2. Although Hastings claims to have provided 90 units of comparable replacement housing at 270 McAllister Street (80 claimed) and 260 McAllister Street (10 claimed),

    A. The court in McKeon v. Hastings found that only 35 of these were comparable replacement housing units. 1-2

    B. The draft EIR contains no analysis of how many of these units are now available for rental, and to whom, and on what terms. 1-3

    C. There exists substantial evidence that 270 McAllister Street is now being converted to use for Hastings students and that vacant units are either not being rented to anyone or are being rented only to Hastings students. 1-4

3. Although Hastings claims that it would be "economically prohibitive" to rehabilitate the Philadelphia and Eureka Hotels for low-cost housing (approximately 85 units), the draft EIR contains no analysis of data to support that claim and the EIR should contain not only that analysis but a comparison of the cost of such rehabilitation with the cost of providing 85 units through new construction in the Tenderloin* (including costs of acquiring land if the proposed new construction is not to be done on land already owned by Hastings).

*The construction would need to be done in the Tenderloin in order to be "comparable replacement housing".

Thank you for your consideration.

Sincerely,

THOMAS W. PULLIAM, JR.
Director of Litigation

TWPbjs

**Responses to Comments from the San Francisco Neighborhood Legal Assistance Foundation**

1-1 This comment does not pertain to the proposed project. The comment refers to litigation resolved in favor of Hastings and is connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

1-2 Please refer to response 1-1.

1-3 Please refer to response 1-1.

1-4 Please refer to response 1-1.

1-5 The statement that it would be "economically prohibitive" to rehabilitate the structures on Lots 12 and 14 reflects the findings of a feasibility report prepared by Gong-Neishi-Gong, Inc., architects and structural engineers, July 15, 1985 and a supplement to the report, dated May 20, 1987. The report and supplement indicate that, in order to bring the two structures into compliance with applicable building and safety codes, the structures would require upgrading for fire protection, handicapped access, energy conservation, electrical protection, and structural strengthening for seismic protection. The estimated costs for such upgrading range from $3.9 to $6.5 million. (A copy of the feasibility report and supplement is attached to this response.)

The request to compare the cost of such renovation with the cost of providing 85 units of "comparable replacement housing" through new construction refers to litigation resolved in favor of Hastings and is connected with a previous and unrelated project. It is therefore inappropriate to discuss the comment within the context of the proposed project.

# RENOVATION REPORT

JULY 15 ,1985

MR. David Tu
Vice President

MILTON MEYER & COMPANY
One California Street
San Francisco, California 94111

Buildings: EUREKA HOTEL
363 Golden Gate Avenue
San Francisco, California

PHILADELPHIA HOTEL
343 Golden Gate Avenue
San Francisco, CAlifornia

Dear Mr. Tu:

This report summarizes our study of the Eureka and Philadelphia hotels. It is intended to provide you with a general overview of the work which may be required to renovate and restore the subject buildings.

Currently, the ground floors and basements are occupied by a retail clothing store and a restaurant. Both hotels are presently vacant. For the purpose of this study, we are assuming that there will not be a change in the type of occupancy after renovation [i.e. the UBC occupany classification will remain B-2 (retail and office) on the ground floor and R-1 (hotel and apartment) on the upper floors].

Our findings and conclusions are based on visual observations made during a site inspection on June 25,1985. No existing construction documents were availuable for review. For building components and elements not visible during the site inspection, assumptions were made that they were of similar type and construction as other buildings of the same vintage.

GONG • NEISHI • GONG, INC.
7677 OAKPORT STREET, SUITE 448
OAKLAND, CA 94621 • 415/568-0250

## BUILDING DESCRIPTION

The Eureka and Philadelphia Hotels appear to be similar in age and construction (built in the 1930's). Both buildings are rectangular three story structures with full basement levels. Their plan dimensions are 43.75 ft. x 129.5 ft. and 34.375 ft. x 129.5 ft., respectively.

The building structures are composed of wood and masonry construction. The floor and roof framing consists of wood sheathing over wood joist and beams supported by a center row of posts and perimeter walls. The perimeter walls appear to be unreinforced double wythe brick masonry walls. The buildings are assumed to be supported on spread footing foundations.

Interior partitions are constructed of wood studs sheathed with lath and plaster. The ceilings are composed of plaster suspended on wood furring strips. No ceilings were observed in the corridors.

The ground floor levels of both buildings, which are currently occupied, are in relatively good condition. The hotels which are located on the 2nd and 3rd floors are both in poor and deteriorating condition:

- The plaster finish on many of the interior walls and ceilings were cracked and spalled.
- Paint on window frames has chipped and sealant around windows have deteriorated. Water stains were observed around several window frames indicating water leakage.
- Most fixtures and appliances were broken or appear to be inoperable.
- Signs of dry-rot and deterioration were observed in several locations.
- A large vertical crack was observed on the east wall of the Eureka Hotel. The crack appears to have been caused by differential settlement of the building.

## PROPOSED RENOVATION

Due to the poor condition of the Eureka and Philadelphia Hotels, a complete renovation of both buildings is recommended in order to insure the safety, health and welfare of the building's future inhabitants and users.

All construction, repairs, demolition and alterations,etc., associated with the renovation work must comply with the following codes and building standards:

- Uniform Building Code (1979 ed.)
- San Francisco Building Code (1984 ed.)
- Uniform Mechancial Code
- Uniform Fire Code
- National Electrical Code
- Title 24 of the State Building Code (Handicapped Access and Energy Conservation).

In addition to the above references there may be other ordinances and code compliances required by the City of San Francisco.

The extent of the work which may be required to renovate the two buildings is anticipated to be:

### FIRE PROTECTION

- Installation of fire alarm system and smoke detection system operating from its own separate power source .
- Provide one-hour fire rated construction throughout. This includes walls, ceilings and floors.
- Installation of fire-rated doors and door frames at each hotel unit.
- Enclosing both stairways using one-hour fire rated construction
- Installation of a fire sprinkler system throughout and a CLASS "B" roof.

### HANDICAPPED REQUIREMENTS

- Provide handicapped accessibility to all areas within each building. This may include installing handicapped accessible elevators, widening corridor and doors, providing new toilet fixtures, etc.

### ENERGY CONSERVATION

- Work may include insulating all walls, ceilings, floors, and changing lighting fixtures and windows.

### ELECTRICAL REQUIREMENTS

- Work may include complete electrical rewiring, installation of new service entry and electrical panels and conduits.

### STRUCTURAL

Technically, the proposed renovation work could be ma
without requiring the existing structure to be stre
thened to comply current code requirements. Howe
based upon the poor past seismic performance
buildings of similar construction(unreinforced mason
we recommend that a minimum amount of structu
strenghtening be performed in order to insure that
structural integrity of the buildings will remain in
during an earthquake.

Anticipated structural strengthening would include:

- Providing a new vertical load carrying system independent of the masonry walls (beam and column framing around perimeters of the building)
- Installing new lateral force resisting elements (shear walls, braced frames, etc.)
- Strengthen existing floor and roof diaphragms (chords and drag elements, sheathing, diaphragm ties into walls,etc.)
- Installing a girt system to brace masonry walls
- Installation of parapet bracing

## ESTIMATED COSTS

In general, renovation and rehabitation of older existing buildings are very costly. These buildings usually have to be upgraded to comply with current building standards and codes. All new work must comply with current building codes and zoning ordinances. Restoration of architectural building details can also be very involved and costly.

The construction costs for renovation of the Eureka Hotel and the Philadelphia Hotel are difficult to determine without a more detailed evaluation and study. However, for the purpose of this study, the cost for the proposed renovation work for both buildings is estimated to range from $1,500,000 to $2,500,000.

Additional costs should be anticipated for restoration work such as refurbishing the masonry walls, new flooring and interior finishes, etc. Dependent upon the extent of the restoration work, an addition cost of $20 to $40 per square foot of floor area can be expected.

* * * *

We hope that this report will provide you with adequate information for determing the feasibility of renovating the Eureka Hotel and the Philadelphia Hotel.

If you have any questions regarding this report or need additional information, we will gladly be of assistance.

Very truly yours,

Robert Young Gong

Robert Young Gong
PRINCIPAL

# PHILADELPHIA and EUREKA BUILDINGS

## Renovation Feasibility Summary

| | EUREKA BUILDING | PHILADELPHIA BUILDING |
|---|---|---|
| Land: | 43.75 ft. x 137.5 ft.<br>(6015.63 s.f.) | 34.375 ft. x 137.5 ft.<br>(4726.56 s.f.) |

TOTAL S.F. 10,742.19

| | EUREKA BUILDING | PHILADELPHIA BUILDING |
|---|---|---|
| Building: | 5665.63 s.f./floor<br>16,996.88 s.f.: (total-3 floors) | 4451.56 s.f./floor<br>13,354.69 s.f. |

TOTAL S.F. 30,351.57

| Cost Range: | Low | Probable | High |
|---|---|---|---|
| | $3,945,000 | $5,153,000 | $6,521,000 |

| | EUREKA BUILDING | PHILADELPHIA BUILDING |
|---|---|---|
| Room/Apts Before: | 52/1 | 22/5 |
| After: | 8-1 bdrms<br>6 studios<br>4 efficiencies | 2-1 bdrms<br>6 studios<br>8 efficiencies |

Annual Rent:

| | EUREKA BUILDING | | PHILADELPHIA BUILDING |
|---|---|---|---|
| Apartments | $102,000 | | $ 79,200 |
| Commercial | $101,590 | | $ 79,640 |
| Total Rent | $203,590 | | $158,840 |
| Net Rent (@ 75%) | $152,692 | | $119,130 |
| | | $271,800 | |

| Probable Debt Service: | |
|---|---|
| $5mm @ 8%<br>28 years | $448,000 |

# PHILADELPHIA & EUREKA BUILDINGS
## Apartment Rental Summary

### Philadelphia Building

| | Sq.ft./unit | Rent/unit | Total rent/m. |
|---|---|---|---|
| 2-1 Bedrooms | 576 | $500 | $1,000 |
| 4 Studios | 384 | $425 | $1,700 |
| 2 Studios | 419 | $450 | $ 900 |
| 2 Efficiencies | 312 | $350 | $ 700 |
| 4 Efficiencies | 336 | $375 | $1,500 |
| 2 Efficiencies | 348 | $400 | $ 800 |
| Total for Building: | 6,190 sq.ft. | | $6,600/mo.<br>$79,200/yea |

Unit Summary:
2-1 Bedrooms
6 Studios
8 Efficiencies

### Eureka/Jacobs Building

| | Sq. ft./unit | Rent/unit | Total rent/m. |
|---|---|---|---|
| 6-1 Bedrooms | 589 | $550 | $3,300 |
| 2-1 Bedrooms | 594 | $550 | $1,100 |
| 2 Studios | 372 | $425 | $ 850 |
| 2 Studios | 468 | $450 | $ 900 |
| 2 Studios | 396 | $425 | $ 850 |
| 2 Efficiencies | 338 | $375 | $ 750 |
| 2 Efficiencies | 333 | $375 | $ 750 |
| Total for Building: | 8,536 sq. ft. | | $8,500/mo.<br>$102,000/yea |

Unit Summary:
8-1 Bedrooms
6 Studios
4 Efficiencies

COST OF RENOVATION-BOTH BUILDINGS

| | Low | High | Probable |
|---|---|---|---|
| Land<br>(10,742 s.f. @ $100/$150/$125) | $1,074,000 | $1,611,000 | $1,3000,00 |
| Construction | | | |
| Shell | $1,500,000 | $2,500,000 | $2,000,000 |
| Interior (@ $20/$40/$30) | 600,000 | 1,200,000 | 900,000 |
| Construction interest<br>(1 yr. @ 12%/14%) | $250,000 | $300,000 | $275,000 |
| Cost Rent | | | |
| Commercial | $ 36,000 | $ 40,000 | $ 38,000 |
| Parking | 150,000 | 170,000 | 160,000 |
| Rent up<br>(1 yr. @ ½ revenue) | $160,000 | $200,000 | $180,000 |
| Contingency<br>(5%/10%) | $175,000 | $500,000 | $300,000 |
| | $3,945,000 | $6,521,000 | $5,153,000 |

# ESTIMATED COST FOR RENOVATION

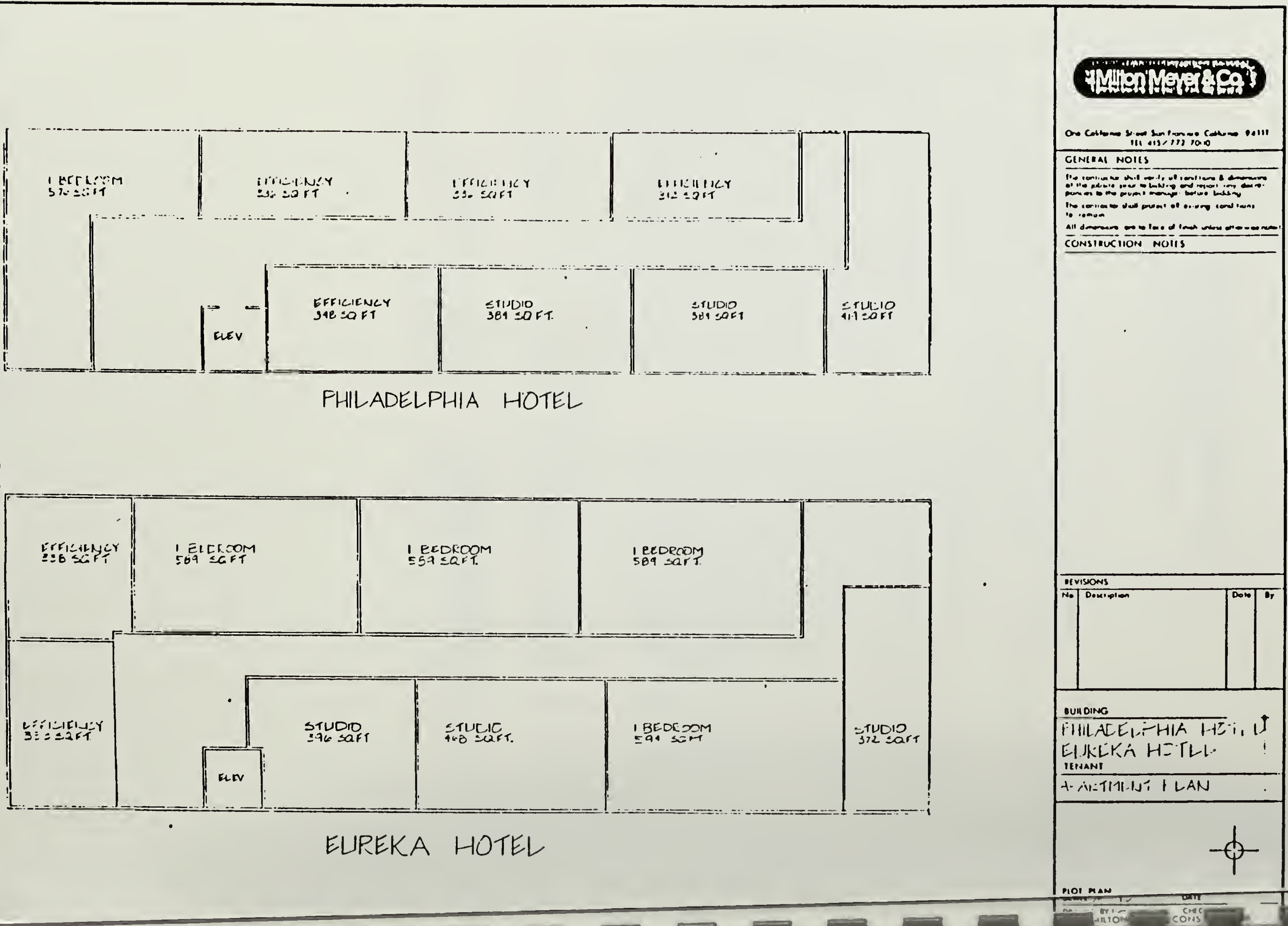
## PHILADELPHIA HOTEL

| WORK: | COST: (Low Range) | (High Range) |
|---|---|---|
| DEMOLITION | 14500.00 | 21750.00 |
| MASONRY | 25500.00 | 42000.00 |
| STRUCTURAL | 75000.00 | 152000.00 |
| INT. WALLS | 100000.00 | 150000.00 |
| CEILING | 12000.00 | 22500.00 |
| INSULATION | 13000.00 | 20500.00 |
| ROOFING | 14000.00 | 26000.00 |
| DOORS/WDWS | 36000.00 | 63000.00 |
| STAIRWELLS | 26000.00 | 42000.00 |
| PAINTING | 34000.00 | 56000.00 |
| ELEVATOR | 120000.00 | 195000.00 |
| FIRE PROTECT | 79000.00 | 121000.00 |
| PLUMBING | 72000.00 | 123000.00 |
| MECHANICAL | 42000.00 | 72000.00 |
| ELECTRICAL | 66000.00 | 115000.00 |
| TOTAL: | 729000.00 | 1221750.00 |
| INTERIOR FINISH ALLOWANCE: | 260000.00<br>($20/SF) | 520000.00<br>($40/SF) |

## ESTIMATED COST FOR RENOVATION

## EUREKA HOTEL

| WORK: | COST: (Low Range) | (High Range) |
|---|---|---|
| DEMOLITION | 17000.00 | 21500.00 |
| MASONRY | 27000.00 | 46500.00 |
| STRUCTURAL | 85000.00 | 165000.00 |
| INT. WALLS | 105000.00 | 157500.00 |
| CEILING | 15000.00 | 26000.00 |
| INSULATION | 13000.00 | 20500.00 |
| ROOFING | 15000.00 | 26500.00 |
| DOORS/WDWS | 40000.00 | 68700.00 |
| STAIRWELLS | 26000.00 | 42000.00 |
| PAINTING | 38500.00 | 62000.00 |
| ELEVATOR | 120000.00 | 195000.00 |
| FIRE PROTECT | 84000.00 | 128000.00 |
| PLUMBING | 77000.00 | 130000.00 |
| MECHANICAL | 50000.00 | 75000.00 |
| ELECTRICAL | 68000.00 | 120000.00 |
| TOTAL: | 780500.00 | 1284200.00 |
| INTERIOR FINISH ALLOWANCE: | 340000.00<br>($20/SF) | 680000.00<br>($40/SF) |


1 BEDROOM 576 SQ FT
EFFICIENCY 336 SQ FT
EFFICIENCY 336 SQ FT
EFFICIENCY 312 SQ FT
ELEV
EFFICIENCY 348 SQ FT
STUDIO 384 SQ FT.
STUDIO 381 SQ FT
STUDIO 411 SQ FT
PHILADELPHIA HOTEL
EFFICIENCY 336 SQ FT
1 BEDROOM 569 SQ FT
1 BEDROOM 559 SQ.FT.
1 BEDROOM 589 SQ.FT.
EFFICIENCY 333 SQ FT
ELEV
STUDIO 396 SQ FT
STUDIO 468 SQ.FT.
1 BEDROOM 594 SQ FT
STUDIO 372 SQ FT
EUREKA HOTEL
Milton Meyer & Co.
One California Street San Francisco California 94111
TEL 415/772 7010
GENERAL NOTES
The contractor shall verify all conditions & dimensions of the jobsite prior to bidding and report any discrepancies to the project manager before bidding.
The contractor shall protect all existing conditions to remain.
All dimensions are to face of finish unless otherwise noted.
CONSTRUCTION NOTES
REVISIONS
No
Description
Date
By
BUILDING
PHILADELPHIA HOTEL
EUREKA HOTEL
TENANT
APARTMENT PLAN
PLOT PLAN
DATE
CONS

May 20, 1987

Mr. James R. Hargrove
Senior Environmental Planner

STATE OF CALIFORNIA
Department of General Services
Office of Facilities Planning & Development
400 "P" Street
Sacramento, California

Subject: Philadelphia and Eureka Buildings
San Francisco, California

Dear Mr. Hargrove:

Subsequent to our Renovation Report on the subject properties dated July 15, 1985, tests were performed by TEI Consulting Engineers to determine if the brick masonry walls were reinforced. The results of TEI's reinforcing survey is presented in their report No.86370 dated February 27, 1987.

After reviewing TEI's report and following subsequent discussions with TEI, it was determined that steel reinforcement was present in some of the brick masonry walls, particularly at the basement level. No reinforcement was detected in most of the upper level walls; however, a non-uniform reinforcement pattern was observed in some.

The adequacy of this reinforcement is difficult to determine from the limited survey conducted by TEI. However, based on the era of construction of these two buildings (1900-1930's), it can be concluded that the amount of reinforcement is insufficient by today's standards of building construction.

Therefore, it is our opinion that the recommendations for strengthening of the buildings' brick walls would essentially be the same as those proposed in our Renovation Report dated July 15, 1985.

Sincerely,

Robert Young Gong

enclosure: TEI Report No. 86370

GONG • NEISHI • GONG, INC.
80 SWAN WAY, SUITE 100
OAKLAND, CA 94621 • 415/568-0250

**LANDMARKS PRESERVATION ADVISORY BOARD**
450 McALLISTER STREET • SAN FRANCISCO, CA 94102 • TEL. 558-2816

March 24, 1986

RECEIVED
MAR 25 1986
HASTINGS COLLEGE of the LAW

Office of the Dean
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

Re: dEIR Golden Gate Building

Dear Sir:

The San Francisco Landmarks Preservation Advisory Board routinely reviews draft environmental evaluation materials on proposed projects in San Francisco to ensure appropriate disscussion therein relative to historic resources. At its regular meeting of March 19, 1985, the Board reviewed the above-referenced draft Environmental Impact Report and offers the following comments:

Page 2 paragraph 4:
What, if any, views of City Hall exist from this site? 2-

Page 44 paragraph 2:
Locally designated Landmarks represent those structures considered by the City and County of San Francisco to be of highest importance for preservation, and those in the project vicinity should be listed at the beginning of this section. 2-2

Page 45 paragraph 2:
Update this section to include buildings designated under Article 11 of the City Planning Code. Article 11 supersedes the List of Architecturally and/or Historically Significant Buildings in the Downtown - delete. 2-3

Page 115:
Update Landmarks Board membership list. 2-4

Thank you for providing the Board with an opportunity to comment on this document.

Truly yours,

Jonathan H. Malone
Secretary to the Board

JHM:jg/0044L

RECEIVED
MAR 26 1986
OFFICE OF GENERAL COUNSEL
HASTINGS COLLEGE OF THE LAW

**Responses to Comments from the San Francisco Landmarks Preservation Advisory Board**

2-1 At the present time, there are virtually no views of City Hall from the project site. A minute part of the cupola may be seen from the sidewalk adjacent to the Hastings Law Library.

After project construction, there would be limited views of the City Hall cupola from windows in the southeast corner of the fifth and sixth floors in the proposed building. The buildings south and west of the project site, including the existing State building at 350 McAllister that has a height of 91 feet, would block any other view of City Hall from the project site.

2-2 City landmarks in the project vicinity are the Hibernia Bank Building at 1 Jones Street, St. Boniface Church and Rectory at 133 Golden Gate, California Hall at 625 Polk Street, City Hall at 400 Van Ness, and Cadillac Hotel at 366-394 Eddy Street.

2-3 This Final EIR deletes mention of the City's List of Architecturally and/or Historically Significant Buildings in the Downtown and replaces it with buildings designated under Article 11 of the City Planning Code. These buildings are listed in Downtown Plan An Ordinance as follows:

Category I Buildings (Significant Buildings) -- The YMCA at 200 Golden Gate Avenue, Rulf's Film Exchange at 125 Hyde, Hastings Dormitory at 100 McAllister, the Argyle Hotel at 132 Mcallister, and the Hibernia Bank at 1 Jones Street;

Category II Buildings (Significant Buildings) -- KGO at 255 Golden Gate Avenue;

Category III Buildings (Contributory Buildings) -- The Brizard and Young Building at 1 UN Plaza.

2-4 The membership list for the Landmarks Preservation Advisory Board is updated in the Distribution List as requested.

MUNI
SAN FRANCISCO MUNICIPAL RAILWAY 949 PRESIDIO AVENUE SAN FRANCISCO CALIF 94115 415-673-[illegible]

RECEIVED
MAR 24 1986
HASTINGS COLLEGE of the LAW

# MEMORANDUM

TO: Patricia Dolter, Hastings College of the Law, University of California

THROUGH: Peter Straus, Director of Planning
Luther Freeman, Assistant Planning Manager

FROM: K.L. (Dan) Wong, MUNI Environmental Review Coordinator

SUBJECT: Golden Gate Building Draft Environmental Impact Report (State Clearinghouse #85021912)

DATE: March 19, 1986

The following comments are based upon this office's review of the draft environmental impact report for the proposed Golden Gate Building (State Clearinghouse #85021912) dated March 7, 1986.

| PAGE NUMBER | COMMENT | |
|---|---|---|
| 4 | The report states that the proposed project will have 160 parking spaces on-site in order to meet the project's demand for 131 long-term and 20 short-term parking spaces. We believe that in this case, the project should only provide the minimum number of spaces as noted in San Francisco's Planning Code as the area is already heavily congested during the peak commute periods; the continued provision of long term spaces by new development projects in the area will result in continued, if not additional, traffic congestion on San Francisco streets and freeways. | 3-1 |
| 19 | In reference to Figure 5 (Site Plan/Ground Floor Plan), we note that the proposed project will provide some off-street loading spaces, as well as other traditionally "non-educational" uses such as both a restaurant and a retail store. We would like to see the off-street loading areas redesigned so as to provide sufficient queueing and maneuvering room on-site for commercial delivery vehicles as it would reduce potential commercial vehicle interference with MUNI surface operations along Larkin Street. | 3-2 |

PUBLIC UTILITIES COMMISSION CITY AND COUNTY OF SAN FRANCISCO

50 Table 4 (1982-1983 MUNI Ridership Characteristics for Routes Within Study Area: Evening Commute Period) should be corrected in reference to MUNI's load factor standards. MUNI's current load factor standards are 1.25 passengers per seat during the peak commute periods for both diesel and trolley coaches based upon a "standard" 50-seat coach; articulated coaches are treated as 1.5 standard coaches. For more recent data regarding MUNI ridership characteristics, please contact this office at 558-5441. 3-3

53 As traffic congestion in the area is already quite severe during the peak commute periods, we respectfully request that the developer agree to limit construction vehicle access to the site to only between the hours of 9:15 a.m. to 3:35 p.m. on weekdays. The adoption of this mitigation measure would help reduce the construction related transportation impacts on both traffic and MUNI surface operations during the critical peak commute periods. 3-4

54 The report states that the proposed project will generate an additional 461 P.M. Peak Hour and 730 P.M. Peak Period trips. However, the report fails to state the number of trips expected to utilize MUNI and other public transit operators. 3-5 In addition, the report should also state if existing transit operators could adequately handle the increased demand generated by this particular development, especially in light of increased development in and around the vicinity of the project. 3-6

65 As a transportation mitigation measure, we believe that the project should also offer subsidized transit passes to the proposed project's employees after completion of the building. Subsidizing transit passes, either lease or employer subsidized, have been successful in reducing automobile congestion in major cities throughout the United States. 3-7

2301P

cc: W. Stead
D. Wright
L. Freeman
B. Sahm

## Responses to Comments from Muni

3-1 Comment noted. The traffic intersection analysis in the Draft EIR is based on a worst-case scenario where floors two through six of the building are assumed to be high density office use. This analysis indicates that intersections near the site will continue to operate, during the peak hour, at acceptable traffic levels (page 58, Draft EIR). It should be noted that the building will have a lower density than indicated in the Draft EIR since it is estimated that upon initial occupancy, 30-50 percent of the building will be in educational use that consists of conference and/or seminar rooms with some administrative office space. The p.m. peak hour turning movement volumes at intersections therefore will be less than the volumes used in the Draft EIR analysis.

3-2 There does not appear to be a need to re-design the entry to the off-street parking. The loading area meets City requirements, as indicated on page 64 in the Draft EIR. It is not anticipated that there will be more than two or three deliveries an hour, a volume that will not cause any significant congestion. The entrance to the loading area is from Larkin, which is a one-way street with three northbound lanes. Therefore, there is ample room for all vehicles to maneuver past any truck that would be backing into the loading dock and obviate the need for double parking on the street.

3-3 Comment acknowledged. Table 4 is hereby deleted from the Final EIR as per comment 9-35 from the San Francisco Department of City Planning.

3-4 The project sponsor will commit to limiting construction traffic to the hours of 9:00 a.m. to 4:00 p.m. as suggested by the Department of City Planning.

3-5 Tables One and Two of the responses to comments indicate the projected number of transit trips. There would be an estimated 370 person trips on transit during the peak hour and 583 trips during the peak 2-hour periods.

3-6 The existing transit operators can adequately handle the increased demand from the project and other employment anticipated in the Downtown Plan when improvements planned by public transit operators are made. These improvements are itemized in the Downtown Plan EIR where an extensive transportation analysis was conducted.

Please refer to response 14-58 for a full explanation of the transit improvements and when they are scheduled to be implemented.

3-7 Comment noted. Hastings College recognizes that transit passes are a valuable tool in encouraging use of transit. Hastings and the State will consider providing transit passes as a future employee benefit.

TABLE 1: MODE AND DESTINATION OF PM PEAK PERIOD PERSON TRIPS: TOTAL WORK/NON-WORK (ROUNDED TO NEAREST PERSON TRIP)

| MODE | | NE SF | NW SF | SE SF | SW SF | NORTH BAY | EAST BAY | PENINSULA | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| Car/Van | | | | | | | | | |
| | Car | 6 | 9 | 9 | 14 | 8 | 26 | 19 | 91 |
| | Carpool | 1 | 9 | 13 | 7 | 7 | 16 | 10 | 63 |
| | Vanpool | | | 1 | 1 | 1 | 12 | | 15 |
| Transit | | | | | | | | | |
| | Muni | 13 | 122 | 19 | 92 | | | 5 | 251 |
| | BART | 1 | | 18 | 13 | | 140 | 24 | 196 |
| | GG Bus | | | | | 34 | | | 34 |
| | AC Transit | | | | | | 56 | | 56 |
| | SamTrans | | | | | | | 9 | 9 |
| | CalTrain | | | | | | | 17 | 17 |
| | GG Ferry | | | | | 9 | | | 9 |
| | Other Transit | | | 3 | | 4 | 3 | 1 | 11 |
| Walk | | 32 | | 1 | | | | | 33 |
| Other Means | | 1 | | 1 | | | | 1 | 3 |
| TOTAL | | 54 | 140 | 65 | 127 | 63 | 253 | 86 | 788 |

TABLE 2: MODE AND DESTINATION OF PM PEAK HOUR PERSON TRIPS: TOTAL WORK/NON-WORK (ROUNDED TO NEAREST PERSON TRIP)

| MODE | NE SF | NW SF | SE SF | SW SF | NORTH BAY | EAST BAY | PENINSULA | TOTAL |
|---|---|---|---|---|---|---|---|---|
| Car/Van | | | | | | | | |
| Car | 4 | 6 | 6 | 9 | 5 | 16 | 12 | 58 |
| Carpool | | 6 | 8 | 5 | 5 | 10 | 6 | 40 |
| Vanpool | | | | 1 | | 8 | | 9 |
| Transit | | | | | | | | |
| Muni | 9 | 77 | 12 | 59 | | | 3 | 160 |
| BART | | | 11 | 8 | | 89 | 15 | 123 |
| GG Bus | | | | | 20 | | | 20 |
| AC Transit | | | | | | 35 | | 35 |
| SamTrans | | | | | | | 6 | 6 |
| CalTrain | | | | | | | 11 | 11 |
| GG Ferry | | | | | 7 | | | 7 |
| Other Transit | 1 | | 2 | | 3 | 1 | 1 | 8 |
| Walk | 19 | | | | | | | 19 |
| Other Means | | | | | | | 1 | 1 |
| TOTAL | 33 | 89 | 39 | 82 | 40 | 159 | 55 | 497 |

ST. ANTHONY
DINING ROOM

Golden Gate Avenue
Francisco, California 94102
ondike 2-3838

ST. ANTHONY
FOUNDATION

April 4, 1986

Hastings College of the Law

St. Anthony Dining room is opposed to the proposed demolition of residential buildings on Golden Gate Avenue. The reason for the opposition is that the 80+ rooms are vital to the housing needs of the poor. It is wrong for Hastings College to deny use of the housing units to those in need and doubly wrong to demolish them. 4-1

This neighborhood does not need more offices - we need more low-cost housing. By opening these two hotels to housing usage you will be doing a great service to the neighborhood. To keep them closed and/or demolish them is adding more problems to the already overburdened poor.

James D. Kilty

James D. Kilty
Executive Director

ST. ANTHONY FARM • ST. ANTHONY CLINIC • SPRING GARDENS • ADULT BENEVOLENT ASSOC. • JACOB'S WELL
ST. ANTHONY THRIFT SHOP • MADONNA RESIDENCE • EMPLOYMENT SERVICE • DROP-IN CENTER • BETHESDA PROJECT
Organized as a Non-Profit Charitable Institution • Donations and Bequests are Tax Deductible

**Response to Comment from St. Anthony Foundation**

4-1 Comment is noted. This comment does not pertain to the issue of compliance with the California Environmental Quality Act or the adequacy of this Draft EIR.

SAN FRANCISCO BAY CHAPTER • SIERRA CLUB

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27 March 1986

RECEIVED
MAR 31 1986
HASTINGS COLLEGE of the LAW

Office of the Dean
University of California
Hastings College of the Law
200 McAllister Street
San Francisco CA 94102

Dear Dean,

The San Francisco Group of the Sierra Club opposes any expansion of the law college which requires demolition of hotel structures in the overcrowded Tenderloin area. We urge that the Eureka and Philadelphia Hotels (361-365 and 343-349 Golden Gate Avenue) be rehabilitated and returned to residential hotel use. 5-1

Further, we urge that no buildings rated C or D by the Foundation for San Francisco's Architectural Heritage be demolished. 5-2

We urge that your Environmental Impact Report include serious alternatives, including some that retain the Eureka and Philadelphia Hotels. 5-3 The EIR should also include photographs of the existing structures. 5-4

We urge that this project be formally subjected to all San Francisco Department of City Planning planning review and approval processes. 5-5

Sincerely,

Dr. John Holtzclaw
SFGp. Conservation Chair

cc: Assemblyman Art Agnos
SF Supervisors
SF Department of City Planning

**Response to Comments from the San Francisco Bay Chapter Sierra Club**

5-1 Comment is noted. This comment does not pertain to the issue of compliance with the California Environmental Quality Act or the adequacy of this Draft EIR.

The rehabilitation of the existing structures is not consistent with the project objectives stated on page 11 of the Draft EIR. It is not, therefore, considered an alternative. The added fact that to economically rehabilitate such structures is infeasible is discussed in response 1-5.

5-2 Comment is noted. This comment does not pertain to the issue of compliance with the California Environmental Quality Act or the adequacy of this Draft EIR. Please refer to page 45 of the Draft EIR and response 2-2 for a discussion of significance of the structures.

5-3 Hastings recognizes its obligation (and the desirability) to study alternatives. However, the alternatives in the Draft EIR have been developed in view of the following criteria:

- The objectives of Hastings, which are stated on page 11 of the Draft EIR. To elaborate further, these objectives are to provide additional needed space for existing and future educational functions. Until such time as Hastings requires use of the entire building for educational functions, it will be used to provide space for consolidating governmental functions. Literally thousands of configurations of different types of land use could have been studied for the project site, but the list was narrowed to those that were reasonable in light of Hastings' objectives. Alternatives that were speculative or remote in their chances of being implemented were not included in the Draft EIR.

- Hastings distributed a Notice of Preparation for a ten-story building with no step-backs on the upper two levels and a plaza. The FAR for this building was 6:1. (Alternative C in the Draft EIR.) As responses to the NOP were received, Hastings determined that this proposal was not receptive to the environment and Hastings considered a ten-story building with step-backs on the upper two levels and a plaza. (Alternative D in the EIR.) Hastings also considered a six-story building with no plaza that would have provided a FAR equal to the original ten-story proposal (Alternative B), but ultimately determined that a six-story building with a plaza would be most responsive to environmental impacts. In order for the Draft EIR to have a meaningful discussion of alternatives, the Draft EIR directed primary analysis to the six-story building with a plaza and directed an analysis of alternatives to proposals that had been considered but rejected in favor of a smaller alternative.

TABLE 3: OUTLINE OF ALTERNATIVES ANALYSIS (Draft EIR Alternative Designation is in Parenthesis)

| | Number of Square Feet, GFA | Environmental Impacts | Reason for Rejection |
|---|---|---|---|
| Largest Alternative(C) 10 stories, no step-backs or roof terraces | 278,330 | Transportation, Circulation, Parking, Air Quality, Energy, Construction Noise, and a potential for Archaeological impacts, none of which would be significant.<br>Wind speeds and building height would exceed those of the proposed project and shade on Golden Gate Avenue would be increased. These would be significant adverse effects. | Significant, adverse effects as listed. |
| Modified Large Alternative (D) 10 stories, step-backs and roof terraces | 264,330 | Transportation, Circulation, Parking, Air Quality, Energy, Construction Noise and a potential for Archaeological impacts, none of which would be significant.<br>Wind speeds and building height would exceed those of the proposed project. These would be significant adverse effects. | Significant, adverse effects as listed. |
| Moderate Alternative(B) 6 stories, no plaza | 281,330 | Transportation, Circulation, Parking, Air Quality, Engery, Construction Noise, and a potential for Archaeological impacts, none of which would be significant.<br>No open space plaza or buffer with adjacent residential building. This would be a significant adverse affect. | Significant, adverse effects as listed. |
| Project Description 6 stories with plaza | 166,810 | Transportation, Circulation, Parking, Air Quality, Energy Construction Noise, and a potential for Archaeological impacts, none of which would be significant.<br>No significant effects. | |
| Smaller Alternative Not described in EIR, could be 4 stories, with plaza | 120,000 | Energy, Construction Noise, and a potential for Archaeological impacts, none of which would be significant. | Hastings College would not be able to meet its educational goals and in the interim the project site would remain unused or underused. |
| No Project (A) | 0 | None, except area is unkempt, aesthetically less desirable than its newer surrounding buildings. | Hastings College would not be able to meet its educational goals and in the interim the project site would remain unused or underused. |

In order to provide further comparison between the proposed project and all alternatives in the Draft EIR, an analysis of a smaller alternative has been added as a Response to Comments (see Table 3 for a summary of the alternative analysis undertaken in the Draft EIR and a smaller alternative.

5-4 Photographs of the existing structures are shown in the responses to comments.

5-5 Hastings College originally contemplated construction of a 10-story, 130 foot structure. (This structure was described in the Notice of Preparation for the proposed project.) As responses to the Notice of Preparation were received, Hastings determined that a smaller alternative would be more responsive to environmental impacts and, therefore, would be preferred. The Draft EIR was prepared for a 6-story, 80 foot structure with a plaza and was sent to various departments of the City and County of San Francisco for review. All comments are responded to in this Final EIR. Hastings has voluntarily sought to be consistent with local planning and zoning laws in light of project objectives, despite its constitutional, statutory, and historical exemption from such local planning and zoning laws, as a State agency with a statewide responsibility for higher education.

## PHOTOGRAPHS OF PROJECT SITE Figure 1

**PHOTOGRAPH OF C-RATED BUILDING** Figure 2

Dean Bert S. Prunty
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

APR 14 1986
HASTINGS COLLEGE of the LAW

April 8, 1986

Re: Comment on adequacy and accuracy of the draft environmental impact report, proposed Golden Gate Building.

The purpose of the EIR is to inform decision-makers and the public about the potential significant environment effects of the proposed project. This comment is intended to raise questions concerning the propriety of the proposed project, as presently formulated, by focusing on the adequacy and accuracy of the draft EIR, No. 85021912.

Because of Hastings unique constitutional authority, Hastings Board of Directors will not only rule on the propriety of this project in general terms, but also the adequacy of the EIR as a matter of law. Because Hastings, in conjunction with the California State and Consumer Services Agency, prepared this document, the public and the judiciary will review the merits with a higher level of scrutiny. The standard of review is relevant because this draft EIR is deficient in numerous aspects. I would like to adress five such deficientcies.

## I. Employment and Housing Factors

The housing component of this draft EIR is internally contradictory, frequently conclusory, and inadequate as a matter of law. After noting the increasing pressure on the housing market in San Francisco due to increases in employment and decreases in the growth of the housing stock, (pp.91,92), the authors conclude by stating that "the proposed project would not directly or significantly affect the housing market within San Francisco and no mitigation measures are required." (p.94) Such a conclusion contradicts the reality of the housing shortage in San Francisco, conflicts with data provided throughout this document, and constitutes little more than a self-serving conclusory statement masked as an analytical fact. 6-1

### A. Increased Demand

To justify the assertion that the displacement of existing workers is not significant, the authors note that the proposed project will provide a greater number of jobs than presently available on site. (approximately 992 new jobs to 40 existing). (pp.88-90). In addition the authors note the expected increase "of 91,000 jobs in San Francisco between 1984 and 2000." (p.88) The authors then suggest that the proposed project would create relatively little additional direct employment because it is "anticipated" that government office workers to be employed on site will move from presently "overcrowded" offices throughout San Francisco. (p.6) No where do the authors mention the new state building presently nearing completion, the increase in employment associated with that project, or whether workers in presently "overcrowded" offices throughout San Francisco are also expected to take up employment in that building.
Nor do the authors note whether Hastings has yet contracted with the state regarding the leasing of office space in the proposed building, or even whether Hastings and the relevant administrative body have entered

into an agreement in principle. The authors therefore fail to provide that information required to substantiate the conclusion drawn regarding "little direct additional employment." 6-2

The authors recognize that backleasing may increase total employment though conclude that the disposition of vacant office space is "outside the control of the college." (p.90) The authors fail to note that the proposed project would be the proximate cause of any environmental impacts associated with backleasing, and that all such potential environmental impacts must be thoroughly analyzed and reported. The faulty analysis described above is designed to justify the conclusion that "no additional demand for housing would occur because it is assumed that these workers will continue to reside in their present locations." (emphasis added) (p.6). This assumption regarding housing demand is no more or less speculative than the impacts associated with potential vacated office space (backleasing). (see p.90) Yet the authors rely on one point of speculation while using the other to justify their failure to analyze potentially significant environmental impacts. If the authors may assume that the state of California will lease all of the available office space associated with the proposed project and that all such workers will be drawn from "overcrowded" offices such that none will desire housing in San Francisco, the authors must also assume that vacated office space will be filled and that such additional employment will create increased demand for housing. 6-3

B. Decreased Supply

The authors acknowledge that the proposed project necessitates demolition of two low-income residential hotels containing 85 units. The authors fail to acknowledge that the hotels were habitable when Hastings purchased them and that these units were allowed to degenerate thereafter. In an attempt to avoid the significant environmental impact associated with the destruction of low-income residential hotels, the authors refer the reader to an independent section titled Community Controversy. (p. 104) There the authors refer to continuing litigation involving residents of the Eureka and the Philidelphia hotels (both slated for demolition upon approval of this project). The authors refer to the fact that Hastings provided an additional 80 housing units through the renovation of the McAllister Hotel (p.105) (the McAllister was previously the Madonna, a low-income residential hotel for women, at least partially occupied by elderly women when purchased by Hastings in 1974). Hastings also contends that it provided 10 additional units in the Ramona Hotel. (The Ramona was a functioning residential hotel when purchased by Hastings in 1974). The authors go on to conclude that because Hastings provided 90 units to the market, while removing 85, a net increase exists. The authors do not admit that the McAllister was a functioning residential hotel when purchased, nor do they report the number of renovated units occupied at the time of this draft. Furthur, the authors do not report whether Hastings is committed to the upkeep and maintanance of the 90 renovated units. Certainly Hastings is not presently compelled to maintain these units once vacated. In fact 41 of the 80 units previously rehabilitated stand empty today, of which only 13 are available for rent. In some cases Hastings has substituted units in other properties for units which have fallen into disrepair. It appears that 72 units not available in 1977 are available today, however not all of these units constitute low-income housing. Additionally, an undetermined number of the units were habitable and rented when Hastings purchased the buildings. As such, the rehabilitation of those units does not necessarily constitute a contribution to the market such that the authors may logically offset the destruction of existing units, and conclude that the demolition of the Eureka and the Philidelphia does not constitute a significant environmental impact. 6-4

Because the demolition of existing low-income residential hotels constitutes a significant environmental impact which is distinct from the issue of relocation, this proposed change in the environment requires detailed analysis and full disclosure including potential mitigation measures and application to the alternatives section.

C. Conclusion

The proposed project will exacerbate the housing shortage in San Francisco. This impact is manifestly significant and must be thoroughly explored, analyzed and reported. 6-5 The destruction of low-income residential hotels decreases the potential supply of this category of housing stock. Due to changes in our economy and demography demand for low-income housing will progressively increase. (an issue that should be analyzed in an independent section regarding cumulative impacts) 6-6

The on-going McKeon litigation involves relocation, a distinct and separate issue which may be properly cited as a potential mitigation measure should the appellate court compel Hastings to rehabilitate and maintain additional low-income rental units. 6-7 The California court's jurisdiction over that issue in no way reduces Hastings obligation to fully analyze significant environmental impacts associated with the destruction of low-income residential units.

Additionally, the project itself is designed to increase employment opportunities in San Francisco. Consolidating present state-leased office space (if this were actually to occur) will free up office space elsewhere. Economic realities require that such space be utilized. Utilization necessitates employees which increases demand for housing. This relationship is not too speculative to give attention to in a document designed to analyze actual and potential significant environmental impacts associated with a proposed project.

Increases in demand for housing coupled with decreases in available housing stock may well be the single greatest impact associated with the proposed project. If facts previously withheld substantiate the conclusions provided, those facts must be discussed in the final draft. In any case, the issue itself must be properly analyzed and fully reported.

II. Transportation, Circulation and Parking

The authors note that "the project would result in a net deficit of 171 off-street parking spaces." (p.59) The authors later suggest that the "unmet demand could be accomidated by the estimated 600 unused on-street and off-street parking spaces found within an approximate one-quarter mile radius from the project site." (p.59) The authors cite "field observations by Jefferson and Associates" as authority for this conclusion. Who "Jefferson and Associates" are, what their expertise is and when (specifically day and time of each "field

observation" from which such conclusions were drawn) they made such observations 6-8
is not stated. The reliability of "Jefferson and Associates" and the veracity
of their findings are therefore highly questionable.

Additionally, how a project which is designed to create 992 new jobs (p.88)
will lead to an increased demand of only 131 long-term parking spaces is 6-9
far from clear. (p.59) The methodology employed is incomprehensible which
furthur weakens the credability of this conclusion. The authors reliance
on irrelevant statistics suggests that they too recognized the weaknesses in
this section. For the fact that "project demand would represent less than 1
percent of the total demand for the C-3 district" is absolutely meaningless 6-10
without documentation of the variation in supply and demand throughout the
C-3 district. Reference to the goals of the downtown plan is similarly meaningless. 6-11
It is troubling that those same authors who were so unwilling to
make reasonable assumptions regarding increased housing demand rest their
conclusions regarding the availability of parking on blatant speculation both
unproven and unprovable.

As written this section will not assist decision-makers in determining whether the proposed project should be modified so as to offset the potential environmental impact related to parking. Instead this section appears to justify foregone conclusions, which is exactly what the EIR process was designed to preclude.

## III. Cumulative Impacts

As previously alluded to, the complete absense of an independent section analyzing cumulative impacts weakens the informational value of this draft EIR. While Hastings' Board of Directors may see a detailed analysis as a waste of time and money, a full disclosure is intended to assist that body in the determination of the appropriateness of this project at this time and on the proposed site.

Relevant topics for consideration in a section on cumulative impacts include
the combined effects of other developments presently occuring in the civic center 6-12
area in relation to the housing and parking shortages already experienced.
For instance, does the new state building bordering Van Ness include adequate 6-13
parking on site, or will the proposed Golden Gate Building, when coupled with
the state building, significantly effect the parking situation in the area?
These, and other such issues, should be explored in an adequate EIR so that 6-14
decision-makers may accurately access the effect of the proposed project.

## IV. Significant Environmental Effects Which Cannot Be Avoided If The Proposed Project Is Implemented

In the summary to its Final EIR for the Academic Facility at 200 McAllister, Hastings states, in reference to the predecessor to this project, (the only real change amounts to proposed use of the space as the project, for all intents and purposes, will have the same environmental effects) "This stage would not be undertaken unless Hastings could mitigate the significant impacts."

Perhaps that is why the authors of this draft EIR employ questionable methods of quantification and qualification - specifically so they may conclude each section by stating that the proposed project will not create a significant environmental impact. Yet because Hastings is under no formal obligation to maintain existing residential hotels, and because this project will increase demand for housing in a market where demand presently exceeds supply, the conclusion that "all project specific impacts . . . have been mitigated to an insignificant level" is inaccurate and misleading. (p.102) Should this project proceed as presently planned, both the loss of potential and actual low-income rental units, and the decrease in available parking coupled with an increase in demand, constitute significant unavoidable environmental impacts.

V. Alternatives

That the authors fail to analyze any alternative involving a smaller project is curious, especially in light of the fact that a development covering only the parking lot on the corner of Larkin and Golden Gate, with additional subterranean parking, would entail minimal environmental impacts. This fact supports the conclusion that this EIR represents little more than a self-serving document designed to justify a project which the decision-makers have previously determined appropriate. The fact that the decision-making body also saw fit to cut costs by assuming responsibility for the preparation of this document merely adds salt to the wounds. Perhaps it is time for Hastings' Board of Directors to recognize the cause of the negative image surrounding this project, and rapidly enveloping the school itself. 6-16

Sincerely,

Tommy A. Conner
142 Chilton Avenue
San Francisco, CA 94131

**Responses to Comments from Tommy A. Conner**

6-1 There is an increase in employment in San Francisco and it is combined with a corresponding decrease in housing opportunities. The proposed project eliminates no housing opportunities and creates opportunities for consolidation of educational and governmental usage and environmentally significant additional space.

6-2 Based upon information supplied to Hastings and from the State Department of General Services, the State is interested in leasing space in the proposed Golden Gate Building, but due to economic constraints, the State cannot make a final decision to lease space in this building until after completion of the Final EIR and the project is approved. The State agencies that potentially would move into the Golden Gate Building are shown on Table 4 of the Responses to Comments. A decision as to which agencies would potentially be relocated would require an examination and determination of the space requirements of the agency. None of these agencies are scheduled to move into the Van Ness State Building. The new State office building at Van Ness and McAllister will house employees of the Public Utilities Commission. In the event that State agencies would be unable to occupy the proposed building, other governmental agencies in San Francisco would occupy the space, relocating from existing offices in a manner similar to the potential relocation of State agencies.

Interim leasing of office space in the Golden Gate Building would allow the State to meet its goal of consolidating employees in a single building. Past experience has proven that it is more economical to house many State employees in one building than to have employees dispersed in many small offices. As stated in the San Francisco State Building Final EIR, April 1980, and recommended in the San Francisco Facilities Plan, consolidation is recommended to increase economic, energy, and space efficiencies.

As stated on page 90 of the Draft EIR, the proposed project would include about 960 government and education employees, 14 restaurant workers, 4 retail workers, and 14 janitorial/facility workers. The government and education employees would be comprised of workers presently in San Francisco. It is anticipated that the education employees would be those persons presently working in the education building on-site and/or persons from Hastings College. At this time, it is not certain which restaurant would be located within the proposed project, although the possibility remains open that the existing on-site restaurant facility would be located within the project. For this reason, the project could result in additional direct employment for 14 restaurant workers. The estimated 4 retail workers and 14 janitorial/facility workers would be new, additional employees. The project, therefore, could result in additional direct employment of 32 workers.

6-3 Some State agencies that potentially would relocate into the proposed project would be moving employees currently in overcrowded space. In these cases, there would be little vacant office space created.

Other agencies relocating to the proposed project will create vacant office space. The amount of vacant space that would be created cannot be determined at this time because the specific agencies that would move into the proposed project have not been determined. (See Table 4 of the Responses to Comments for a list of State agencies that potentially would be compatible for consolidation into the proposed building.)

Vacant office space would be filled eventually, either by existing San Francisco workers or by employees new to San Francisco. Any new employees would have an insignificant effect on total employment in San Francisco and on housing demand because the average quality, size, and location of such vacant space would have little potential for attracting tenants that are not already located in San Francisco and also because the vacant office space would accommodate a small number of employees. The average size of State office space was approximately 8,200 square feet (net) in 1986. No State agencies were in office space that exceeded 27,500 square feet (net) or 36,600 square feet (gross).

6-4 The existing structures are not low income housing. Page 23 of the Draft EIR accurately describes who is currently using the buildings. The demolition of these buildings, therefore, does not constitute a significant effect upon existing housing stock. For further discussion, please refer to responses 1-5 and 5-1.

6-5 In accordance with Section 15131 of the State CEQA Guidelines, economic or social effects of a project shall not be treated as significant effects on the environment, unless these effects are used to determine that physical changes were caused by the project. While there is no doubt that a large scale loss of housing stock would result in physical impacts because of the need for residents to locate elsewhere in San Francisco, demolition of the structures on this site would not have a significant physical impact because no one has lived in these residential units since 1978, and also because the structures cannot reasonably be rehabilitated due to the extent of work required to bring the structures into compliance with applicable building and safety codes. (Please refer to response 1-5.)

6-6 Hastings recognizes that the demand for low income housing may be increasing, but the proposed project neither generates added low income households, nor does it displace existing low income households.

6-7 While this is a conclusionary statement rather than a question about compliance with the California Environmental Quality Act, it should be pointed out that the McKeon litigation is connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

6-8 Jefferson Associates is a transportation consulting firm that has offices in San Francisco, Oakland, and Houston. The parking survey referenced in footnote 10, pages 59 and 67, was conducted by Jefferson Associates on November 27-29, 1984, between 10:00 a.m. and 3:00 p.m. for an area within a one-quarter mile radius of the project site. The survey was taken during what is considered to be the peak demand for parking spaces near the proposed project. The survey was conducted on foot and consisted of counting the number of unoccupied spaces out of the total number of on-street and off-street spaces (garages and surface parking lot) with the survey area.

6-9 As indicated on page 59 of the Draft EIR, the project would create a demand for 151, not 131, parking spaces as suggested in the comment.

The demand is estimated as follows:

| | | |
|---|---|---|
| Commuter Parking Demand | | |
| Total Work Trips (see Table 6 in the Draft EIR, page 55) | 1,908 | |
| Total Work/Person Trips by Car (22% auto use) | 420 | |
| Total Vehicle Trips (1.6 persons per vehicle) | 262 | |
| Parking Demand (total vehicle trips present both inbound and outbound trips; parking is needed for inbound trips; therefore, parking demand is half the number of work vehicle trips) | | 131 spaces |
| Non-Work Trips | | |
| Total Non-Work Person Trips (see Table 6 in the Draft EIR, page 55) | 2,858 | |
| Total Non-Work Person Trips by Car (10% auto use) | 286 | |
| Total Non-Work Car Trips (1.3 persons per car) | 220 | |
| Total Inbound Car Trips (parking is needed for inbound trips) | 110 | |
| Parking Demand | | 20 spaces |
| Total Demand: | 131 spaces<br>20 spaces | |
| | 151 spaces | |

It should be noted that the trip generation factors used in the calculation of parking demand represent a worst-case scenario because the factors are based on high density office use. The building will have a lower density than indicated in the Draft EIR since it is estimated that upon initial occupancy 30-50 percent of the building will be in educational use that consists of conference and/or seminar rooms with some administrative office space. As a result, the trip generation factors are overstated and the resulting parking demand is also overstated.

6-10 A discussion of the parking demand for the C-3 district is provided in the Downtown Plan EIR, pages IV.E.34 and IV.E.42.

6-11 Please refer to response 6-9.

6-12 There are two ways in which CEQA permits a projection of cumulative impacts:

"(A) A list of past, present, and reasonable anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted general plan or related planning document which is designed to evaluate regional or areawide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency;" [California Administrative Code, Title 14, Section 15130(b)(1).]

Hastings used the Downtown Plan EIR in order to meet the second option.

The Downtown Plan EIR included a growth forecast for downtown San Francisco. That is, even though all projects may not be built, the forecast was predicated on a "worst case" situation, or the most growth that would likely happen given foreseeable market conditions.

Housing Market Implications in San Francisco[1]

There is a complicated series of interactions between employment growth and the housing market impacts of that growth. Throughout this process, adaptations or changes in conditions can be identified, but cannot be solely attributed to employment growth.

With continued employment growth there would be additional demand for San Francisco housing from people with strong preferences for living in the City and with the ability and willingness to pay for housing. This demand would be added to an otherwise competitive market with relatively high prices/rents.

At the same time, additional housing will be produced in San Francisco. There would be more additional supply relative to additional demand in the future than in the past. The primary reason is that housing market factors together with local policies and redevelopment programs are expected to support a larger addition of housing in the City than occurred in the past two decades. Nevertheless, San Francisco is unlikely to accommodate all of the households that would otherwise choose to live in the City. This is explained by the City's role as the employment center for a large region, by the limited land availability in the City, and by the higher costs of producing housing in San Francisco.

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[1] Downtown Plan EIR, Vol. 3, pp. C&R-D.83-94. This subsection presents a summary of the discussion as explained in the EIR Summary of Comments and Responses (pp. C&R-D.83 - C&R-D.94 [see Vol. 1, pp. IV.D.77 - IV.D.82 and Vol. 2, pp. I.1 - I.8]), which is hereby incorporated by reference pursuant to State CEQA Guidelines, Section 15150.

The proposed project has the potential to contribute to the cumulative demand for housing in San Francisco; however, the project's contribution would be insignificant because the average quality, size, and nature of office space that would be left vacant by governmental agencies has little potential for attracting tenants that are not already located in San Francisco. Thus, it is reasonable to assume that the number of new workers relocating to San Francisco would be so small as to have an insignificant impact on the overall housing market.

6-13 The reasons for using the Downtown Plan EIR as a data base for cumulative effects is explained in response 6-12. The contribution of the project to cumulative parking effects is discussed on pages 59 and 60 of the Draft EIR.

6-14 Please see responses 6-12 and 6-13, above, for a discussion of housing and parking. In addition, please note that cumulative impacts were analyzed in the Draft EIR in pertinent sections such as traffic, air quality, and noise.

6-15 Demolition of the structures on this site and replacement with a six-story building was examined in all sections of the Draft EIR and mitigation measures were proposed as necessary.

6-16 A smaller alternative would not meet Hastings' objectives. In order to illustrate this point, Table 3 in the Responses to Comments compares the smaller alternative with the other alternatives analyzed in the Draft EIR. In addition, please refer to response 5-3.

**NORTH OF MARKET PLANNING COALITION**
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April 18, 1986

Office of the Dean
University of California
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200 McAllister Street
San Francisco, CA 94102

NOMPC Written Comments
Golden Gate Bldg. DEIR

Dear DEIR Hearing Officer:

This document represents the North of Market Planning Coalition's written comments on the Draft EIR for the Golden Gate Building, an office building being developed by Hastings College of the Law at Golden Gate Avenue and Larkin Street in San Francisco.

SUMMARY

The North of Market Planning Coalition feels that the proposed office building would have a significant adverse impact on the environment, particularly the surrounding residential neighborhood.

Other alternative projects should be examined, including housing rehabilitation and new housing construction.

If the project is approved, significant mitigation measures should be required, including as a minimum housing, transit, childcare, parking, sunlight preservation, local employment, and relocation requirements.

Hastings, the sponsor, should meet the court ordered requirements of 375 units of replacement housing, meet other local regulations, and be reviewed and approved by the local planning processes before proceeding.

Our comments are divided into two sections:
Part One: SIGNIFICANT IMPACTS CONTAINED WITHIN THE DEIR, lists those significant environmental impacts outlined by Hastings' own consultants in the DEIR (with specific page (p.) references) that directly contradict the conclusions repeated throughout the DEIR (pgs. 91,94...) that "the project will not directly or significantly affect the environment in San Francisco and no mitigation measures are required."

Part Two: SIGNIFICANT IMPACTS OMITTED OR INADEQUATELY ADDRESSED IN THE DEIR highlights those sections of the DEIR where we disagree with the consultants' analysis and conclusions or those areas that were inadequately addressed or omitted entirely from the discussion.

PART ONE: SIGNIFICANT IMPACTS CONTAINED WITHIN THE DRAFT EIR

The draft EIR finds that the project will have negative impacts on the surrounding residential neighborhood, housing, parking, traffic, public transit, sunlight on sidewalks and open space, office vacancies and existing businesses. (Note: All page numbers (p.) refer to pages in DEIR)

DISPLACE HOUSING AND PERHAPS ALTER RESIDENTIAL LAND USE WITHIN 2 BLOCKS 7-1

* Will increase demand for commercial services within the area. (p. 2)
* This change in land use has the potential to alter land use within a block or two because of increased demand for retail services, restaurants, etc. (p. A-2)
* Will result in demolition of 85 units of housing in two residential hotels.(p. 10)
* Insofar as project creates more office space and workers in San Francisco, it will increase demand for housing. (p. 90)

DISPLACE PARKING WHILE INCREASING DEMAND

* The project would eliminate 180 on-site parking spaces and create a net deficit of 171 off-street parking spaces while there are only 600 unused parking spaces within the 4,500 spaces located within a four block radius. (p. 59) 7-2

ADD MORE PASSENGERS TO THE MUNI SYSTEM

* During the peak hour period, the project will add 107 riders to buslines that already have 2,431 passengers standing. (p. 50, 62) 7-3

ADD MORE VEHICULAR AND PEDESTRIAN TRAFFIC 7-4

* Traffic flow in the area is already constricted. (p. 58)
* Traffic flow is expected to deteriorate during the next 15 years. (p. 59)
* 10 - 15 truck visits per day between 8:00 am and 5:00 pm.(p. 64)
* 262 daily auto work trips. (p. 59)
* 220 daily auto non-work trips. (p. 59)
* 4,766 Person Trip Ends (PTE) per day. (p. 59):

1,908
2,858
4,766

SHADE SIDEWALKS AND OPEN SPACE 7-5

* The project will cast new shadows on sidewalks and the Federal Building Plaza. (p. 41)

INCREASE OFFICE VACANCY 7-6

* The project will result in 992 employees, now located in other San Francisco offices, moving to this location, creating vacancies in other buildings. (p. 90)

DISPLACE EXISTING BUSINESSES 7-7

* The restaurant and retail businesses on the site. (p. 23)

Despite the impacts outlined above by their own consultants, and over a decade of litigation, demonstrations and community petitions, Hastings says that:

- "The project will not directly nor significantly impact the environment" (p. 91, 94)
- They are not subject to local regulations. (p. 11)

We disagree. We submit that the above data, submitted by Hastings' own consultants, directly contradicts their conclusion and establishes a significant, adverse environmental impact.

## PART TWO: SIGNIFICANT IMPACTS OMITTED OR INADEQUATELY ADDRESSED IN DEIR

### OFFICE VACANCY

When Hastings discusses the issue of office vacancy in the DEIR they only refer to the fact that 990 office workers will be moving from other governmental office space to the Golden Gate Office Building, freeing up their old office space.

A more central issue in this discussion, and one totally ignored in the DEIR, is the current office vacancy rate in downtown San Francisco and its relationship to the demand for new office space, in all office markets.

On March 20, 1986 the San Francisco Department of City Planning released a 53-page report on this subject entitled, SAN FRANCISCO OFFICE DEVELOPMENT LIMITATION PROGRAM, FIRST REVIEW PERIOD. Among other things, the report notes:

* A 16.5% office vacancy rate.
* 7,500,000 sq. ft. of additional office space approved or under construction (the equivalent of 15 Transamerica Pyramids).

The report concludes:

> The Department gave special attention to an evaluation of office markets needing specialized space - including headquarters space, small firm space, back office space, governmental space. The evaluation was structured to determine the potential need in these different office markets for a period beginning three years from now. In summary, judging from the analysis, there appears to be no compelling necessity for the Commission to approve additional office space for construction at this time. All office markets, including back office, appear to have more than adequate space available.

Two days before the DEIR hearing, Los Angeles developer Sheldon Gordon dropped approximately 200,000 sq. ft. of office space from his 5th and Market project, reinforcing the findings of the Department of City Planning. The office market in San Francisco, for the foreseeable future, is dead.

How does this effect the Hastings project? THE FINAL EIR MUST ADDRESS 7-8
THIS ISSUE ... THE ECONOMIC RATIONALE FOR THIS PROJECT. Hastings
assumes this project will make money, but fails to address this key
issue. If the smart money in commercial real estate is bailing out of
the office market, why does Hastings feel that they, newcomers to the
development game, can buck the trend?

Hastings infers in the DEIR that they will secure state government
tenants. Where is the documentation to support this? Hastings should
state what, if any, oral or written agreements it has with the State 7-9
GSA to rent space. Hastings should also state how it feels its new
building will be able to compete for State tenants with the glut of
nearby, inexpensive space in newly rehabbed buildings like 25 Van Ness,
44 Page, 1045 Market, etc.; in nearby vacant new buildings and the
buildings under construction (Polk-O'Farrell, Daniel Burnham Place,
etc.) and specifically the proposed Van Ness Gateway project, 450,000
sq. ft. of back office space targetted for governmental agencies.

## CUMULATIVE IMPACTS

Hastings must address the issue of its Institutional Master Plan in this 7-10
DEIR. Nowhere is there mention of the recently donated KGO building and
how that space relates to the Golden Gate Building and future Hastings 7-11
expansion plans.

Furthermore, Hastings must state, for the record, in its Final EIR,
what cutbacks in student enrollment are in place and contemplated 7-12
to give the reader a fuller understanding of the institution's ongoing space needs.

## COMMUNITY CONTROVERSY

This section needs considerable revision and expansion (p. 10, 104-106). It infers the only controversy is commercial vs. residential use on the site. This is one of many areas of controversy.

The contention that Hastings replaced units vacated at the Eureka and
Philadelphia hotels with units at 270 and 260 McAllister is absurd on
its face. Those buildings were previously occupied as housing. In 7-13
fact, St. Anthony's Foundation operated the Ramona Hotel for elderly
women from 1960 until 1975 when Hastings purchased the building and
evicted the tenants. Where 175 occupied units used to exist, only 90
remain. No matter how you shuffle tenants, that is a net loss of 85
units. We challenge Hastings to demonstrate the error of this math.

Hastings states on page 106: "...the College examined the feasibility of rebuilding the structures on Lots 12 and 14 to provide housing on the project site. This possibility was rejected because it was economically prohibitive."

The DEIR authors must provide documentation for this statement, including 7-14
the names of architects and engineers involved or omit the statement
from the DEIR

A major controversy in this project is the treatment of former tenants in the Eureka, Philadelphia and Ramona hotels (the eviction of St.

Anthony's), the treatment of current tenants (moving them around) and Hastings refusal to provide 375 replacement housing units. These need to be acknowledged and addressed in the Final EIR. 7-15

Another controversy - the involvement and role of developer Walter Shorenstein in this project and in the renovation of McAllister Towers (in exchange for O/HPP credits). What is his role in the Golden Gate Building? 7-16

Another point of significant community controversy is Hastings' exemption from local control. If Hastings is not exempt from the San Francisco Residential Rent Ordinance for buildings it owns that are not used for educational purposes, why is it exempt from local zoning controls? Hastings must address this as a major controversy ... no one, except Hastings, agrees with the exemption. 7-17 The Final EIR should note Assemblyman Art Agnos' efforts to change state law to force Hastings to submit this proposal to the local planning commission. 7-18

Further controversy in this area relates to the fact that local developers, with the exception of Hastings, must pay a variety of development fees to the city. Private developers object to this unfair competition from the public sector.

The DEIR's comparison of the proposed project with the Downtown Plan carefully selects areas of comparison. For instance, under the Downtown Plan this project would require:

| S.F. DOWNTOWN PLAN | HASTINGS/UNIV. OF CALIF. | PRIVATE DEVELOPERS |
|---|---|---|
| Annual Square Footage Allocation | Subtracted from City's Total | Less footage available |
| Submission of Master Plan | Exempt | Not exempt |
| New Housing Construction | Exempt | $ 857,230 |
| Child Care Facilities | Exempt | $ 160,530 |
| Transit Fees | Exempt | $ 800,000+ |
| Downtown Parks | Exempt | $ 321,060 |
| Employment Development | None-Amounts to Transfers of Present Govt. Employees | Not exempt |
| Art Fees | Exempt | 1% of construction costs |
| Totals: | 0 | $2.2 million+ |

This is a source of major controversy within the North of Market community, citywide, with private developers and the city and must be acknowledged and addressed. 7-19

The DEIR states that this site was "specifically omitted" from the new North of Market residential rezoning. What is not stated is that this was accomplished through intense lobbying by Hastings over the vehement objections of the North of Market Planning Coalition and the community. That this is an act of political gerrymandering is obvious when one examines a land use map of the area. Acknowledge and address this area of community controversy. 7-2

## MITIGATIONS

In addition to an analysis of the $2.2 million+ City development mitigations the Final EIR should analyze the impacts of applying the same neighborhood mitigations agreed to by the Ramada, Hilton and Holiday Inn: 7-21

1. Housing ..................................... $1,066,000 over 20 years

   Ramada (650,000 sq. ft.)
   $160,000/yr x 20 = $3,200,000
   Hastings (224,000 sq. ft.) = 1/3 of Ramada money

2. United Tenderloin Community Fund ........... $ 200,000

   ($50,000/yr. x 4 yrs.)

3. City Zoning Studies ........................ $ 30,000

4. Jobs (preference to North of Market residents)

5. Neighborhood serving retail

   Total: $1.3 million

## PROJECT ALTERNATIVES

In addition to the four project alternatives contained in the DEIR, we specifically request that five additional alternatives be addressed. They are: 7-22

1. All Housing/New Construction Same Height

   It should be noted that at 600 sq. ft./unit the site could accommodate 375 units, the number the court has ordered Hastings to provide.

2. Rehab Two Hotels - New Housing on Parking Lot

3. Rehab Two Hotels - New Office on Parking Lot

4. Rehab Two Hotels - All Retail on Parking Lot

5. Rehab Two Hotels - Open Space on Parking Lot

All discussions and conclusions regarding economic feasibility must be documented. 7-23

## CONCLUSION

Parts One and Two of these comments provide clear documentation of a significant, adverse impact on the environment, particularly the surrounding residential neighborhood.

Sincerely,

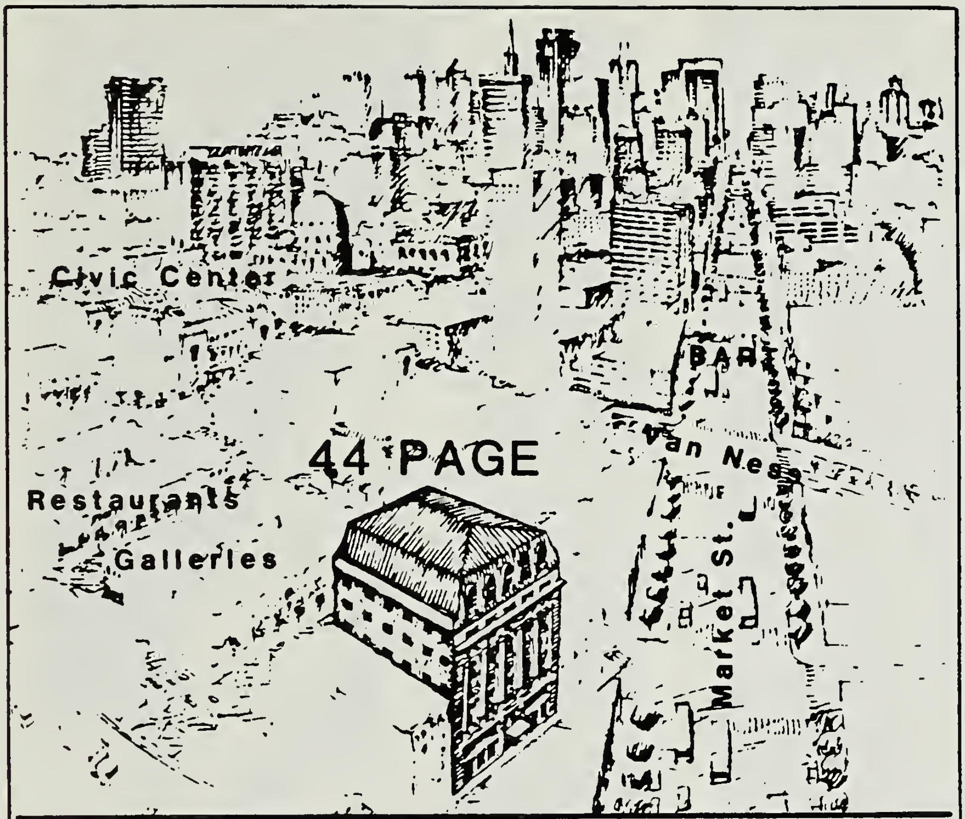
Brad Paul

Brad Paul
Executive Director

BP:ml
Encls.

## EXAMPLES OF REHABILITATED OFFICE BUILDINGS IN OR NEAR CIVIC CENTER AREA

## EXECUTIVE OFFICES



# Page Plaza

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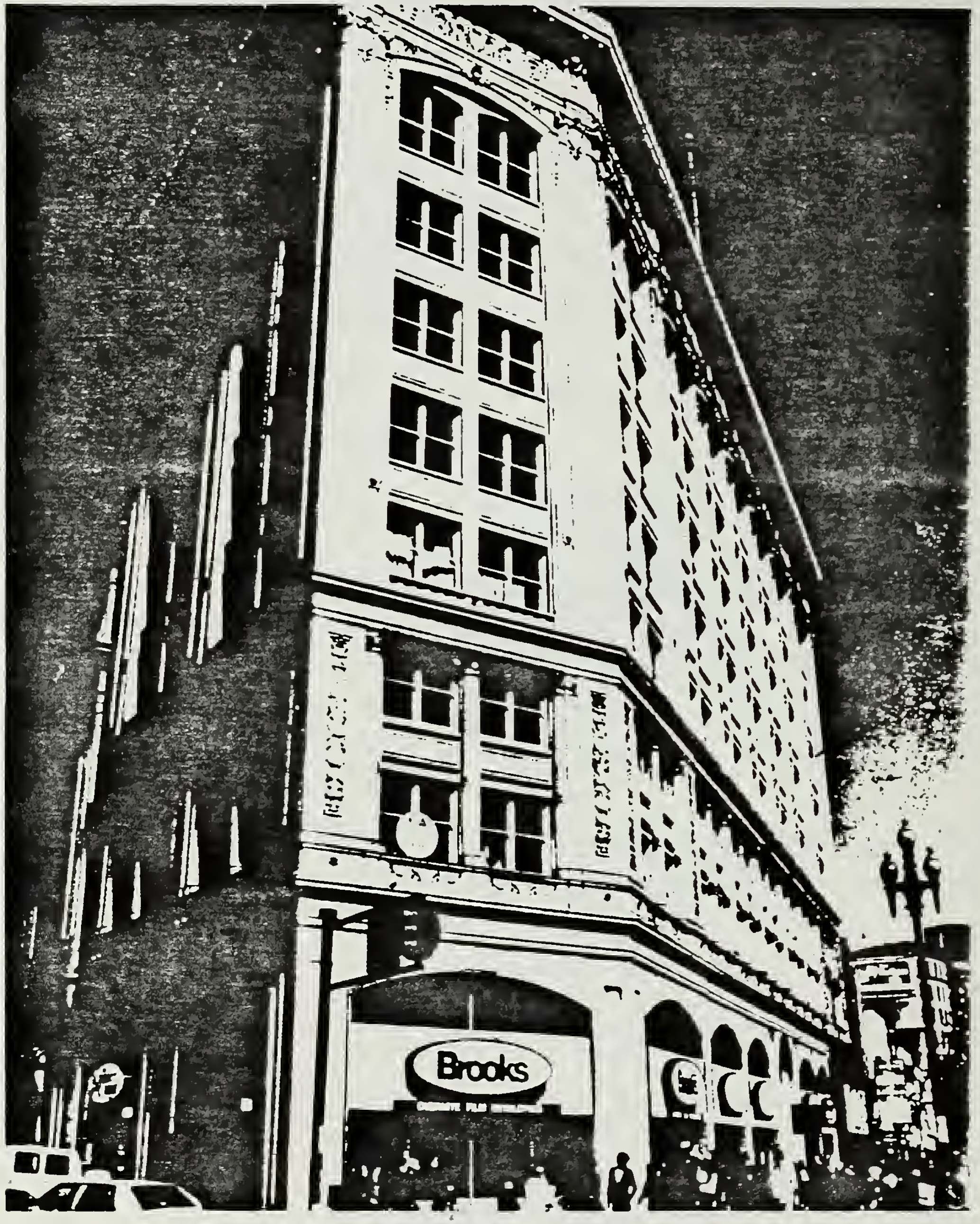


988 Market Street, San Francisco

McKense Roth

## FOR LEASE

San Francisco is changing—for the better. Nowhere is this new renaissance more evident than at 988 Market Street.

Built in the 1920's, this historic structure is undergoing a complete renovation including the exterior, lobby, elevators, common areas and washrooms. A new central air conditioning system is also being installed.

# PROFILES OF TWO FAMILY BUSINESSES WHO RISK BEING DISPLACED BY PROPOSED OFFICE BUILDING

Edward McGovern, owner of Knight's Restaurant, has been in the restaurant and catering business since 1964 when he moved into into 234 McAllister Street.

Mr. McGovern, a native San Franciscan is the father of eight children all who've worked in the business. He is a member of several S.F. community organization such as: Knights of Columbus, Hibernians, United Irish Cultural Center.

In 1977, Hastings acquired 234 McAllister through condemnation proceedings. Hastings negotiated with Mr. McGovern to relocate him to his present site (363 Golden Gate Avenue).

As an inducement to move, Hastings told Mr. McGovern that they planned to erect an office building on the site of the present parking lot (Corner of Golden Gate and Larkin).

Hastings offered restaurant space in the new building but this offer has never been finalized in writing and no formal negotiations regarding relocation have occured.

The EIR does not reflect any commitment by Hastings to keep Mr. McGovern as the operator of the restaurant in the proposed office building.

--over--

Richard Farella, owner of Merchandisers Inc., carries on a family tradition started by his father who had been a wholesaler and discount store operator.

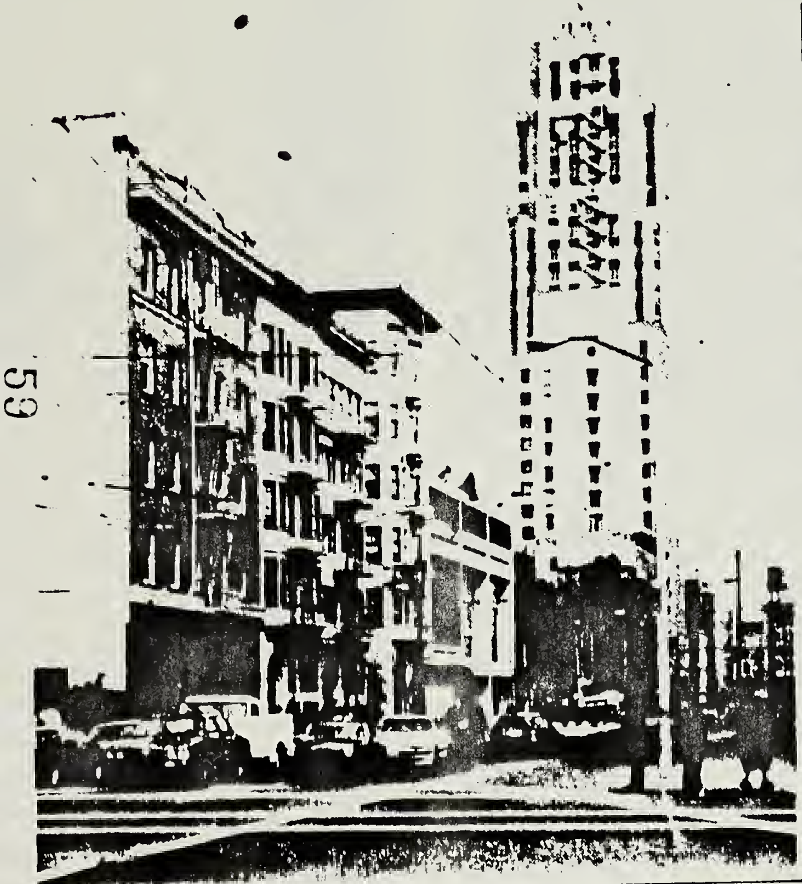
Mr. Farella opened Merchandisers Inc. in 1972 and thereafter renovated the premises.

In 1974, Hastings purchased the building and there were rumors that it would be torn down. In 1977, when Hastings announced plans for its Law Center, Mr. Farella was given a relocation form to fill out.

Mr. Farella filled the form out but chose to remain at the site until building construction began. He continued leasing on a month to month basis.

In 1981, Mr. Farella's rent was raised from $800 to $1600 per month. A month later, it was raised to $3,000.

The increase prompted Mr. Farella to request either a long-term lease or his relocation benefits. Hastings denied both and informed him he was not eligible for relocation benefits despite his original application for relocation benefits.



HASTINGS LAW COLLEGE OWNS MOST OF THE APARTMENTS PICTURED ABOVE AND MOST WERE RECENTLY DECLARED SUBJECT TO THE RENT CONTROL ORDINANCE.

# HASTINGS COLLEGE OF LAW LOSES TO RENT CONTROL

Residential housing owned by Hastings College of Law which is not used for educational purposes is not exempt from the San Francisco Residential Rent Ordinance.

A tenant of 270 McAllister Street, an apartment house owned by the University of California Hastings College of Law, came to SFNLAF with a summons and complaint and a three-day notice to pay rent or quit. The notice did not inform him that advice was available from the Rent Board.

The tenant argued that his unit in that apartment building is subject to the rent control ordinance as amended November 19, 1984 and Hastings was not entitled to "governmental immunity" as defined in the Ordinance in section 37.2(p) because Hastings was not operating the building for educational purposes, but for ordinary residential purpose in the open market. The manager testified that while some students lived in the building, none were Hastings students.

Using that same section of the ordinance, Hastings argued that as the University of California it is a government entity which is specifically excluded from the Ordinance and is therefore permitted to regulate the amount of rent charged at 270 McAllister.

Jose Guerrero, a SFNLAF attorney representing the tenant, argued that Hastings could not meet the exclusion requirement because it only applied to such government entities as SFHA and HUD. Guerrero said, "This decision has far reaching implications. Just because Hastings is the University of California it believed it was immune from local laws and regulations. For years city inspectors from fire, building and health departments have been denied entry into UC owned buildings in San Francisco. On the rare occasions they were permitted entry, Hastings granted it only as a 'courtesy.' Who knows how many tenants have been denied basic protections under the Rent Ordinance, how many tenants have been illegally evicted."

This ruling means the 80 unit building is subject to rent control and sends a clear signal to all tenants living in state owned property.

**Responses to Comments from the North of Market Planning Coalition**

7-1 Any slight increase in demand for support services to the proposed project would not be sufficient enough to put pressure on existing residential properties.

The proposed project would result in demolition of four structures, two of which were used as residential units until 1978. The feasibility of rehabilitating these structures was analyzed and it was determined that it would be infeasible because of the extent of work that would be required to bring the structures into compliance with applicable building and safety codes. In any event, the renovation of the former hotels cannot be an alternative because such a renovation would not meet the objectives of Hastings. Please refer to 6-2, also.

7-2 The project would not have a significant effect on parking because the net deficit of 171 spaces could be accommodated by the estimated 600 unused spaces within approximately one-quarter mile radius from the project site and also because there is adequate transit capacity to accommodate the increased demand from the project (see response 3-6).

7-3 Muni can adequately handle the increased demand from the project and other employment anticipated in the Downtown Plan when the improvements planned by the transit operator are made. These improvements are itemized in the Downtown Plan EIR where an extensive transportation analysis was conducted. Hastings used that transportation analysis. Please refer to response 14-58 for a discussion of the status of the capital facilities recommended in the Downtown Plan.

7-4 The traffic intersection analysis indicates that intersections near the site will continue to operate, during the peak hour, at acceptable traffic levels (page 58, Draft EIR). Please refer to response 3-1.

7-5 Pedestrian use of the sidewalks on Golden Gate Avenue and Larkin Street is heaviest during the noontime hours; the potential significance of new shadows at this time has been considered as follows:

At 12:00 noon during the spring and fall months, the project will cast newly created shade on approximately one-half of the sidewalk on the north side of Golden Gate Avenue. The project will cast some newly created shade on the sidewalk on the south side of Golden Gate Avenue. Although more than half of this sidewalk is in existing shade at 12:00 noon, the proposed project will expand this to approximately three-fourths of the sidewalk. By 12:00 noon all shade cast by the proposed project on Larkin Street would have been eliminated.

At 12:00 noon during the summer months, there will be some newly created shade adjacent to existing shadows on the south sidewalk on Golden Gate Avenue. The sidewalk on the north side will not be cast in shade. Newly created shade will be cast on the sidewalk area directly adjacent to the northwestern corner of the proposed project.

At 12:00 noon during the fall months, there will be some newly created shade adjacent to existing shade on sidewalks on both the north and south sides of Golden Gate Avenue and on the sidewalk on the east side of Larkin Street.

At 12:00 noon during the winter months, newly created shade will be cast adjacent to existing shade on the sidewalks on both the north and south side of Golden Gate Avenue. By 12:00 all shade cast by the proposed project on Larkin Street would have been eliminated.

These noontime effects are acknowledged but are not considered significant.

There will be newly created shadows falling on the Federal Building Plaza. In the early morning hours from September to March, there would be newly created shade on a small portion of the southeastern corner of the Federal Building Plaza. During the month of December, these shadows would be at their maximum, lasting until 10:30 or 11:00 a.m. on December 21. These shadows would not be significant since they would cover a minimal part of the Plaza. In addition, there is no seating in the portion of the Plaza that would be shaded.

7-6 The statement concerning the creation of vacancies within the City of San Francisco does not speak to any environmental impacts that are the subject of this EIR. Hastings acknowledges that governmental agencies leasing space in the proposed building could leave office space vacant. There is no indication, however, that this would create a significant environmental impact. Hastings assumes that any vacated office space would be filled eventually, but because of the average quality, small size (the average size of State office space was 8,200 nsf in 1986), and dispersed locations throughout San Francisco, the office space would have little potential for attracting tenants that are not already located in San Francisco.

7-7 While the proposed project would affect the existing retail and restaurant businesses on the site, this effect is not considered significant because the number of new on-site employees upon project completion will be greater than the number of workers presently on-site. The proposed project would include retail and restaurant space that would be compatible with the needs of the building tenants. The retail and restaurant space will provide similar replacement jobs for retail and restaurant workers. At this time in project design it is not certain which restaurant will be located within the proposed project although the possibility remains open that the current restaurant facility would be located within the project. (See page 89 of the Draft EIR.)

7-8 Hastings intends to attract governmental agencies into the building by offering long-term, flat rate leases that would be more attractive than short-term leases. Ultimately, the entire building will be available for use by Hastings for its educational functions.

7-9 The new State office building under construction on Van Ness and McAllister is scheduled to house the Public Utilities Commission and will not affect the list of State agencies that potentially would move into the proposed Golden Gate Building.

The proposed Golden Gate Building is attractive to the State because the State would receive a long term flat rate lease that would be more economical than receiving a short-term lease.

7-10 Hastings has no institutional master plan calling for expansion beyond the Golden Gate Building at this time. However, the law school is presently involved in ongoing planning for programs for expansion of its educational functions and its other needs. Hastings is an agency of the State of California, and, like other State agencies, is excluded from local planning and zoning laws. Hastings intends to use the Golden Gate Building for educational use and will be responsible for providing such educational use as represented in the Final EIR.

7-11 The KGO Building was gifted to Hastings in December 1985. Hastings has retained consultants to study how this property might best be used. It is clear that this specialized telecommunications facility will not meet Hastings' objectives for the proposed project. However, no plans for the KGO Building will be made until the consultant report is received and evaluated.

Hastings has no present expansion plans beyond the Golden Gate Building.

7-12 Hastings has requested legislative approval for an initial reduction in enrollment of 50 students. The total reduction objective over 5 years will be 300 students.

Hastings programmatic growth will more than offset any decline in student enrollment over the next five years. Planned programmatic expansion includes graduate education in taxation and other disciplines, a bio-ethics program in cooperation with the University of California at San Francisco, educational programs for the Bar and the public, a broadened public research effort and additional clinical instruction. The net result will be an increased need for space by Hastings. The proposed project will provide the needed space. See the final decision in McKeon v. Hastings, 185 Cal. App. 3d 877 (1986).

7-13 No response to these comments is made because these comments do not pertain to environmental impacts of the proposed project; however, Hastings did not evict the tenants.

7-14 Please refer to response 1-5.

7-15 The disposition of tenants in the context of this EIR does not pertain to the issue of compliance with the California Environmental Quality Act; however, it should be noted that the comment is not factual. See the final decision in McKeon v. Hastings, 185 Cal. App. 3d 877 (1986).

7-16 Mr. Shorenstein is Chairman of Milton Meyer & Co., contract managers of the 100 McAllister building and consultants in real estate to Hastings.

7-17 Hastings is an agency of the State of California, and, like other State agencies, is excluded from local planning and zoning laws. Hastings attests to the future educational use of the Golden Gate Building and will be responsible for guaranteeing that the educational use is provided as represented in the Draft EIR.

7-18 Assemblyman Agnos' concerns are noted.

7-19 The comments regarding unfair competition between public and private uses are not pertinent and do not involve an environmental issue. Accordingly, the comments have not been responded to in this EIR. It should also be pointed out that Hastings is an agency of the State of California, and, like other State agencies, is excluded from local planning and zoning laws. Hastings attests to the future educational use of the Golden Gate Building and will be responsible for guaranteeing that the educational use is provided as represented in the Draft EIR.

7-20 As previously noted, Hastings is an agency of the State of California and, like other State agencies, is excluded from local planning and zoning laws. It is acknowledged that the North of Market Planning Coalition and some other persons in the community objected to the project site as not being included in the residential rezoning for the North of Market Area.

7-21 The Draft EIR has discussed mitigation measures where necessary. The mitigation referred to in this comment is not applicable to the proposed project and does not require examination in the Final EIR.

7-22 The five additional alternatives would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use. In addition, the suggested alternatives would physically divide the site in such a way as to prohibit further development consistent with the objectives of Hastings. Please refer to response 1-5 also.

7-23 Hastings would like to be able to analyze all alternatives to the greatest degree of detail possible. For example, each alternative could be depicted in terms of design development. However, there is a limit to the amount of information necessary to make a reasoned choice among the alternatives. It would not be proper under the CEQA Guidelines for the EIR to consider all alternatives in respect to all possible detail.

SAN FRANCISCANS FOR REASONABLE GROWTH
870 Market Street, Room 1119, San Francisco, CA 94102
415-392-6760

April 22, 1986

Hastings Law School
Office of the Dean
198 McAllister Street
San Francisco, Ca. 94102

Att: Tricia Dolter

Attached are San Franciscans for Reasonable Growth's comments to the Draft Environmental Impact Report for the Golden Gate Building State Clearinghouse #85021912. Thank you for your attention.

Sincerely,

Georgia Brittan

Georgia Brittan
Administrative Director
San Franciscans for Reasonable Growth

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## I. INTRODUCTION

One of the most important aspects of the cumulative impact analysis has been left to footnote 9 on page 67 of the Draft EIR for the Hastings Law School project. SFRG believes it is improper to incorporate by reference the transportation sections 8-1 of the Downtown Plan EIR . This is because the DTP EIR fails to adequately disclose the magnitude of the adverse impacts which will result from the additional workers which the SEIR forecasts to be employed in San Francisco between 1984 and 2000. The DTP EIR underestimates by 50% the transit impacts of office development and employment in the non-C-3 area of Downtown San Francisco. By incorporating the transportation sections from the DTP EIR, Hastings commits the same error and is not complying with CEQA.

SFRG has noted substantial errors in the DTP EIR impact analyses which result in an underestimation of cumulative impacts on transit and transportation systems. For instance, SFRG has stated that the number of additional riders forecast to be on transit systems is unreasonably low. It is inconceivable to SFRG that there could be so few additional transit riders given the magnitude of additional workers and non-workers forecast to travel during the peak-period P.M. rush hour.

Not only has SFRG noted these errors during the public discussion of the DTP EIR at the Planning Commission and at the Board of Supervisors prior to the EIR's adoption in August of 1985, but the same errors in EIRs and SEIRs published by the

Department of City Planning from late 1984 through 1986 have elicted SFRG's comments.

> (In the comments below SFRG refers to the 201 Spear Street Supplemental Environmental Impact Report (SEIR) EE#80.377. Two tables from the SEIR are used in the comments. These are Table 2 and Table 3. This tables are the same as Table 5 and Table 6 respectively as they appear in the 299 Second Street EIR and Responses to Comments documents. The 299 Second Street EIR EE#83.311 is referenced in the Hastings Draft.)

In this process of comments from SFRG, the Department of City Planning, author of the Downtown Plan EIR and the other EIRs referenced in the Hastings Draft EIR, has responded with volumes of discussion on transit impact methodology, computer modelling and calibration, C-3 zoned versus non-C-3 zoned transit assumption, etc. SFRG has stated that it does not particularly care how the Department arrived at its numbers, but it cares whether the end result seems reasonable. CEQA's litmus test is whether the EIR analyses are reasonable, not whether they are complicated.

The dialogue betwen SFRG and the Department has been very confusing for decision makers. SFRG asks a specific set of questions, and the Department responses to these comments further diffuse rather than focus the issue.

In order to bring clarity to this issue, SFRG will first note those critical areas where SFRG and the Department agree, and then discuss where there is disagreement.

SFRG will prove the following:

- **The Downtown Plan EIR economic based methodology underestimates the adverse impact of San Francisco employment growth from 1984 to 2000. SFRG's discussion will concentrate on transit impacts to illustrate this problem.**

## II. THE DOWNTOWN PLAN EIR ECONOMIC BASED METHODOLOGY UNDERESTIMATES THE ADVERSE IMPACT OF SAN FRANCISCO EMPLOYMENT GROWTH FROM 1984 TO 2000.

### A. CRITICAL AREAS OF THE DTP EIR IMPACT ANALYSIS WHERE SFRG AND THE DEPARTMENT AGREE.

In order to focus discussion on these areas where SFRG and the Department disagree, SFRG will first indentify those areas where there is agreement. To facilitate brevity, each of these areas of agreement will be discussed in one or two sentences. However, in case documentation is needed to substantiate SFRG and Department agreement of the facts enumerated below, each discussion references a Table which can be consulted as a reference.

- The DTP EIR's discussion of future citywide employment divides the City into three areas. (See SP-1)
  (1) The C-3 zoned area of Downtown San Francisco.
  (2) The Non-C-3 zoned area of Downtown San Francisco.
  (3) The remaining Non-C-3 area of San Francisco.
- The DTP EIR states that, of the Citywide employment increase between 1984 and 2000, approximately 50% will occur in the C-3 District, approximately 25% will occur in the Downtown non-C-3 District surrounding the C-3 District, and approximately 25% will occur in the rest of the City. (See SP-1)
- The DTP EIR forecasts that there were 280,860 employees in the C-3 district in 1984 and there will be an additional 91,260 C-3 employees betwen 1984 and 2000. (See SP-2)

- The DTP EIR states that about 70% of the C-3 workers travel outbound from the C-3 District during the 2-hour Peak-Period PM commute. (See SP-3)

- The DTP EIR indicates that approximately 60% of C-3 workers used transit as their mode of transportation in 1984, and approximately 62.4% of C-3 workers will use transit as their mode of transportation in 2000. (See SP-5)

- DTP EIR Table J.3, J.4, and IV.E.1 all summarize the P.M. Peak-Period and/or P.M. Peak-Hour transit Person-Trip-Ends (PTE) from the C-3 area and all:
  (1) have identical numbers.
  (2) contain only C-3 transit demand and contain no non-C-3 component.
  (See SP-6 and SP-7)

- Each C-3 worker who crosses into the C-3 area on transit has one inbound PTE in the morning coming to the C-3 area and one outbound PTE in the evening departing from the C-3 area. (See SP-8)

- DTP EIR Table IV.E.2 summarize the P.M. Peak-Period and/or Peak-Hour transit demand on each transit system and both:
  (1) show outbound rider demand only.
  (2) include all transit demand; this includes C-3 work and non-work related trips and non-C-3 work and non-work related trips. (See SP-9)

- For DTP EIR Table IV.E.2 showing outbound transit demand for each transit system, the Department states it is impossible to determine whether the origin of trips is from the C-3 or non-C-3 area. The Tables reflect all transit demand from all areas and sources regardless of origin. (See SP-10)

- The travel characteristics for downtown San Francisco non-C-3 area employees which are in close proximity to the C-3 area are approximately the same as for C-3 workers. (See SP-11)

SFRG will use the above facts to substantiate its comments. Most of the facts need no further elaboration than given in the referenced tables. However, it is useful to briefly reiterate the defintion of some of the terms cited above since they are use extensively hereafter.

### Person-Trip-End

A person-trip-end (PTE) is a one-way trip of a person from departure point to a destination. The trip may be walking, transit, dining, etc. A worker will have at least two PTE per day, one PTE to work in the morning and one PTE from work in the evening. One transit PTE occurs when a person takes a one-way trip on transit.

### C-3 Boundary

The boundary of the C-3 zoned area shown in Figure IV.E.1 of the Downtown Plan EIR.

### Regional Transit Screenlines

There are boundaries chosen to measure outbound transit demand for various transit and transportation systems as shown in DTP EIR Figure IV.E.1. These lines may or many not coincide with the C-3 boundary, depending of the transit system.

### C-3 District PTE

This is a PTE to destinations or from origins in the C-3 District. It is measured at the C-3 boundary.

### C-3 District PTE P.M.Peak Period (or Hour)
### PTE by Mode

This is the PTE on various modes of transportation. These PTE by mode are summarized in the DTP EIR Tables J.3, J.4, and IV.E.1 of the SEIR. C-3 district peak-period (and hour) transit demand from the C-3 area alone is included in these Tables. These are measured at the C-3 boundary.

### Outbound P.M. Peak Period (or Hour)
### Transit Demand by Mode

This is outbound transit demand from all sources and areas including C-3 District, non-C-3 district, work and non-work. This is summarized in DTP EIR Table IV.E.2 . These are measured at Regional Screenlines.

In the next section, SFRG will develop its case that the DTP EIR fails to adequately portray the magnitude of future transit impacts associated with San Francisco employment growth.

B. THE FIRST EXAMPLE CONCERNS WHETHER THE DTP EIR AND SEIR TABLES SHOWING DOWNTOWN C-3 DISTRICT P.M. PEAK-PERIOD PERSON TRIP ENDS (PTE) FOR 1984 AND 2000 INCLUDE OUTBOUND TRAVELERS OR OUTBOUND AND INBOUND TRAVELERS.

The following discussion will focus on Department contradictions regarding this matter.

As shown in Figure SP-6, DTP EIR Tables J.3, J.4, IV.E.1 and Table 2 from 201 Spear Street EIR, show identical information. These tables show 41,400 additional peak hour PTE and 64,150 additional peak period PTE from 1984 to 2000.

> Footnote (a) in Table J.4 notes that these additional PTE are "Total peak-period PTE from (emphasis added) the C-3 district.
>
> Footnote (b) in Table IV.E.1 notes that these additional PTE are "Total person-trip-ends (PTE) to destinations or from origins in the C-3 district."
>
> Table 2 in the 201 Spear Draft SEIR is entitled "Comparison of List method and economic forecast method outbound P.M. peak hour cumulative travel demand from C-3 District growth (emphasis added). Footnote (2) for this table stated that this additional PTE was "Travel from the C-3 district only" (emphasis added).

Based on the information in this table, (Table 2 of the 201 Spear EIR), SFRG subtracted the PTE shown in this table from increased outbound ridership demand shown in Table 3 of the EIR.

SFRG was strongly rebuked for doing so in the 201 Spear Responses to Comments. The Department chastened SFRG saying that:

> "The commenters have subtracted in and outbound travel estimated at the C-3 district boundary (Table 2) from only outbound total travel measure at the screenlines (table 3). The C-3 numbers (in Table 2) are comprised of two travel directions, only one of which is relevent to the outbound total from which 'C-3 travel' is being subtracted...the basic problem with the commenters approach is that they have subtracted the sum of two oranges from one apple...Moreover, the transit systems they have chosen to illustrate the point tend to fall into the group for which some non-C-3 travellers were included in the C-3 portion...Exhibit SP-10 is the

> result of the above noted manipulations, based on Tables 2 and 3 of the SEIR." (p.107 201 Spear SEIR)

In other words, SFRG had the audacity to assume that a Table entitled "Outbound Travel from the C-3 Area" was precisely that. We, the public, and the decision makers should have known it was really inbound and outbound travel. The Responses to Comments documents then modifies the Draft SEIR by stating:

> "To clarify the ambiguity in the SEIR, the word 'outbound' is deleted from the title of Table 2, p. 47 of the SEIR, and the first sentence of note 2 is amended to read (additions underlined): 'Inbound and Outbound travel from the C-3 District only.'"
> (Supra)

However, at the November 14, 1984 public hearing on the 201 Spear building permit, six days after the above referenced response was published, the Department refuted SFRG testimony by stating that,

> " Table J.3 is in fact simply travel from the C-3 district. It doesn't purport to be anything else...you cannot use Table J.3 to reflect anything but travel from the C-3 as it is labeled." (Transcript 201 Spear Certification on SEIR, pages 30-31)

There is clearly confusion in the Department as to what these tables actually show.

The following discussion will focus on how the Department exagerated the "inbound and outbound" versus "outbound" issue as if it were of vital importance in order to ingore the real issue.

As noted above in the Responses to Comments, the Department used the alleged fact that 201 Spear Street SEIR Table 2 was inbound and outbound PTE and the fact that Table 3 was outbound ridership to totally refute SFRGs testimony. (Again, the information in Table 2 is from Table IV.E.1 in the DTP EIR and the information in Table 3 is from Table IV.E.2 in the DTP EIR.) They have made an incredible issue of whether Table 2 contains inbound and outbound PTE, and has even contradicted themselves in the process.

**In reality, it does not really matter. This is because even if DTP EIR Tables J.3, J.4, IV.E.1 and 201 Spear SEIR Table 2 do include inbound and outbound C-3 travel, 95% of this travel is outbound during the P.M. Peak-Period.**

Appendix J presumes all of the worker related PTE are outbound during the P.M. Peak-Period, and 50% of the non-worker trips are outbound and 50% are inbound. As noted in SP-8, the DTP EIR states on page J.6 that "each employee has two one-way person-trip-ends for work", one inbound PTE in the morning and one outbound PTE in the evening. The DTP EIR also states that:

> "Although the employee travel in the P.M. peak period has been generated using employee departures as a base (emphasis added), the reference data show that non-work travel is less directionally oriented. The assumption has been made that 50% of the P.M. Peak non-work trips are traveling in a non-commute direction and 50% are travelling in a commute direction" (p. J.9 DTP EIR)

Thus each C-3 employee trip is a departure (outbound), while half the non-work trips are outbound and half are inbound.

Therefore, there is a simple answer to the "inbound and outbound" versus "outbound" controvery. It can be stated in one sentence: Virtually all worker PTE are outbound during the P.M. peak hour and period and 50% of other travel s outbound.

Figure SP-12 summarizes information from DTP EIR Table IV.E.1. This shows that the work related PTE for the C-3 area increased by 44,890 PTE for all transit systems during the P.M.

Peak Period and that non-work PTE increase by 4,800. According to the assumptions of DTP EIR Appendix J, there would be:

> 44,890 outbound C-3 employees PTE, 2,400 outbound non-work PTE and 2,400 inbound non-work PTE.

Thus, there will be:

> 47,240 outbound PTE and 2,400 inbound PTE. Therefore 95% of the PTE will be outbound.

C. THE SECOND EXAMPLE REGARDS THE DEPARTMENT DISCUSSION OF SFRG'S ERROR IN SUBTRACTING TRANSIT PTE DATA MEASURED AT THE C-3 BOUNDARY FROM TRANSIT RIDERSHIP DATA MEASURED AT THE SCREENLINES.

The Department has stated that DTP EIR Tables J.3, J.4, IV.E.1 and 201 Spear Street SEIR Table 2 measure C-3 district transit demand at the C-3 boundary; while DTP EIR Table IV.E.2 and 201 Spear Street SEIR Table 3 measure C-3 and non-C-3 district transit demand at the transit screenlines. DTP EIR Figure IV.E.1 (page IV.E.6) shows these boundaries.

There is a gap between the C-3 boundary and the transit screenlines for transit systmes. The Department states that some C-3 workers may leave the transit system in this gap, and therefore be "counted" as a C-3 worker in DTP EIR Table IV.E.2 as crossing the C-3 boundary but not be "counted" as a C-3 worker in DTP EIR Table IV.E.2 at the regional screenline because they left the system. Given this rationale, the Department states that one cannot subtract the information in Table IV.E.1 from Table IV.E.2, since they do not have the same base.

Table SP-13 summarizes the relationship between the C-3 boundary and the transit screenlines for transit systems serving San Francisco. This table show that, for many transit systems, the difference between measuring transit loadings at the C-3 boundary or the transit screenline is zero or negligible. For BART EastBay and Westbay, the Golden Gate Ferry, AC Transit, and the Tiburon Ferry, the C-3 boundary is substantially identical to the screenline. There is no ability for a C-3 workers to get on one of these systems and then get off between the C-3 boundary and the regional screenlines. For MUNI Southeast and CalTrain, there is neglible difference between the transit demand felt at the regional screenline versus the C-3 boundary. Thus 65% of the transit riders are on systems where there is basically no difference between the C-3 boundary and the regional screenline.

### III. THE DOWNTOWN PLAN EIR AND THIS DEIR FAIL TO ADEQUATELY REVEAL THE IMPACTS OF ADDITIONAL WORKERS ASSOCIATED WITH CUMULATIVE OFFICE DEVELOPMENT OR OF INCREASE EMPLOYMENT IN DOWNTOWN SAN FRANCISCO. 8-2

In the following discussion, SFRG will demonstrate that:

- Additional employment in the non-C-3 area of San Francisco will be significant from 1984 to 2000.
- The Downtown Plan EIR environmental impact analyses for transit cannot differentiate between the C-3 and non-C-3 area. These analyses show total transit ridership demand from the C-3 area and non-C-3 area, work and non-work trips.
- The total increase in transit ridership forecast by the DTP EIR is unreasonably small given the number of additional San Francisco workers from 1984 to 2000.
- The EIR transit analyses are therefore inadequate.

#### A. FUTURE EMPLOYMENT IN THE NON-C-3 AREA OF DOWNTOWN WILL BE SIGNIFICANT AND HAS IMPACTS SIMILAR TO C-3 DEVELOPMENT. THUS THE CUMULATIVE IMPACTS ANALYSIS OF THIS DEVELOPMENT MUST CLEARLY BE EVIDENT IN THE EIR ANALYSIS.

Downtown San Francisco non-C-3 office development projects adjacent to the C-3 area have project impacts similar to C-3 projects in terms of employment, transit, traffic, transportation and housing. According to the Downtown Plan EIR only 12% of the 36 million square feet of office development in San Francisco between 1965 and 1984 occurred in the non-C-3 area. (DTP EIR p. IV.B.3) That document also states that:

> "Citywide employment is forecast to increase between 1981 and 2000 under the policies of the DTP. Just over half of this growth would occur in the C-3 district. The balance is likely to be divided about equally between the areas surrounding the C-3 (south to China Basin including Mission Bay, Civic Center, Northern Waterfront and the Washington/Broadway Special Use District) and the rest of the city." (DTP EIR IV.C.47)

This means there will be approximately 92,000 additional C-3 employees from 1984 through 2000 and 92,000 additional non-C-3 area employees in San Francisco. (DTP EIR Table IV.C.15 p. IV.C.41) 46,000 of the non-C-3 area employees will be in the Downtown San Francisco non-C-3 area employees which the Court determined is part of the Downtown area.

The importance of the non-C-3 area is illustrated by the following statement from another, nearly identical SEIR:

> "As explained in the DTP EIR and above, with lower C-3 district growth under the DTP, there could be more development in other City areas outside the C-3 district. (Montgomery/Washington SEIR EE#81.104 p. 128)

The Downtown Plan EIR expects that the areas of San Francisco adjacent to the C-3 particularly to the south of the C-3 district, will experience substantially more growth in employment than in the past.

The Comments and Responses for the Washington/Montgomery SEIR stressed the significance of non-C-3 development in the statement that:

> "As a result of this pattern (of development shifting to the non-C-3 area), comparisons with show lower C-3 district development in the future as compared to total citywide development in the past do not necessarily indicate that future, citywide development would be lower than in the past. As explained in the Downtown Plan EIR, it is expected that there would be proportionately more development in city areas outside the C-3 district in the future. The extent of this shift also depends on the zoning policies currently under review for the areas to the south of the C-3 district." (Washington/Montgomery SEIR EE#81.104 p. 126)

This is a revealing statement. It says that overall citywide developmment (which has been over 3 million square feet per year over the past seven years) may not be lower than in the past, but that development in the non-C-3 area will increase above historical levels.

It is therefore clear that the SEIR must analyze the impacts of both C-3 and non-C-3 employment. SP-16 shows the March 22, 1985 List. The starred buildings are the non-C-3 projects. The List shows that 33% of the projects are in the non-C-3 area immediately adjacent to the C-3 district and 67% of the development on the March 22, 1985 List is in the C-3 area. This is a 2 to 1 C-3 to non-C-3 ratio of buildings, approximately the same as the 2 to 1 C-3 to non-C-3 ratio predicted for employment from 1984 to 2000.

It is clear that the SEIR must analyze the cumulative impacts of all probable future development. To the extent that the Downtown Plan EIR tables and conclusions are used in the SEIR to guide decision-making, the SEIR should ensure that the tables adequately include non-C-3 area impacts.

### B. THE DOWNTOWN PLAN EIR ENVIRONMENTAL ANALYSES FOR TRANSIT RIDERSHIP DEMAND DO NOT DIFFERENTIATE BETWEEN THE C-3 AND NON-C-3 DISTRICT, OR WORK AND NON-WORK TRIPS. THESE ANALYSES ONLY SHOW TOTAL TRAVEL FROM ALL AREAS AND SOURCES AT TRANSIT SCREENLINES.

SP-10 indicates DCP statements that the outbound P.M. Peak-Hour and Peak-Period transit ridership demand shown in the DTP EIR Table IV.E.2 and 201 Spear Street SEIR Table 3 are for total 8-3
demand from all areas and sources and cannot be easily broken down into components because of the computer model used in the DTP EIR.

The outbound P.M. Peak-Hour and P.M. Peak-Period transit ridership contains riders from six sources. The Department cannot identify which components of the total travel is due to the C-3 district, but the Department asserts that the total travel estimate is reasonable. The six travel components which show the 1984 to 2000 increase in travel demand are as follows:

C-3 District Employee Travel from
92,000 additional C-3 workers ________________________

C-3 District non-worker Travel ________________________

Downtown non-C-3 District
Employee Travel for 46,000
Additional non-C-3 workers ____________________________

Downtown non-C-3 District
non-worker travel ____________________________

Rest of City non-C-3 District
Employee travel for 46,000
Additional non-C-3 workers ____________________________

Rest of City non-C-3 District
non-worker travel ____________________________

The test of the DTP EIR's environmental analysis is whether it is reasonable that there will be approximately 45,000 additional outbound P.M. Peak Period riders on transit due to the

92,000 additional C-3 workers and 92,000 additional non-C-3 workers (a total of 184,000 additional San Francisco workers.)

### C. THE TOTAL INCREASE IN PEAK HOUR AND PEAK PERIOD TRANSIT RIDERSHIP FORECAST BY THE DOWNTOWN PLAN EIR IS UNREASONABLY SMALL GIVEN THE NUMBER OF ADDITIONAL SAN FRANCISCO WORKERS FROM 1984 TO 2000.

SFRG will demonstrate this fact using two entirely different perspectives.

The first perspective compares the information in Tables IV.E.1 and IV.E.2 after assuming that the data bases are adjusted to be identical (i.e. there is no "subtracting two oranges from one apple.").

The second perspective does not use Table IV.E.1 or PTE numbers at all, but looks only at the number of C-3 workers and the percentage that commute on transit during the P.M. Peak Period.

#### FIRST PERSPECTIVE

(1) DTP EIR Table IV.E.1 and 201 Spear Street SEIR Table 2 contain identical information and show P.M. Peak Hour and Peak Period C-3 transit demand in terms of Person-Trip-Ends (PTE), for C-3 District workers and C-3 District non-workers. These tables show PTE both to and from the C-3 District. However, the tables can be adjusted to show the number of outbound PTE as indicated in SP-12. As has been demonstrated, 100% of the worker PTE and 95% of the overall (worker and non-worker) PTE demand during the P.M. Peak Periods is outbound. SP-12 shows there are 28,840 additional outbound PTE on transit from the C-3 district alone during

the P.M. Peak Hour and 47,370 additional outbound PTE during the P.M. Peak Period due to increase employment in the C-3 District from 1984 to 2000.

DTP EIR Table IV.E.2 and 201 Spear Street SEIR Table 3 contain identical information and show P.M. Peak Hour and Peak Period outbound transit demand for both the C-3 District and non-C-3 District, workers and non-workers. SP-15 shows that there are approximately 31,400 additional P.M. Peak Hour outbound riders and 46,900 additional P.M. Peak Period outbound riders due to increased employment between 1984 and 2000. For the P.M. Peak Period, a companion of these tables would show the following:

| | |
|---|---|
| Outbound Transit Demand from 92,000 C-3 District workers (from SP-12 and DTP EIR Table IV.E.1 | 47,370 |
| Outbound Transit Demand from C-3 District non-workers | __________ |
| Outbound Transit demand from 46,000 Downtown non-C-3 workers | __________ |
| Outbound Transit demand from Downtown non-C-3 non-workers | __________ |
| Outbound Transit demand from 46,000 remaining S.F. non-C-3 area workers | __________ |
| Outbound Transit demand from remaining S.F. non-C-3 non-workers | __________ |
| Total Transit Demand (From SP-15 and DTP EIR Table IV.E.2) | 46,900 |

It is this calculation which makes SFRG suspicious of the DTP EIR conclusions. While the Department assures SFRG transit demand from all areas and sources is revealed in the impact analyses tabulated in Table IV.E.2, the total number of outbound riders -- 46,900 -- is approximately equal to what should be expected from the C-3 District alone: 47,370.

The Department is quick to point out an error in the above comparison, because C-3 transit demand is determined at the C-3 boundary and the total transit demand is determined at the regional screenlines. SFRG does not believe this makes a significant difference. But to be beyond reproach, SP-14 tabulates these same figures from Table IV.E.1 and IV.E.2 using only outbound riders from each table, but includes only those transit systems where the C-3 boundary and the transit screenline are identical for all practical purposes. These transit systems are BART, AC Transit, Golden Gate and Tiburon Ferries, and CalTrain. This table shows that there are 27,560 additional 1984 to 2000 C-3 District Outbound P.M. Peak Period transit PTE on these systems, and 27,400 additional 1984 to 2000 total C-3 and non-C-3 Outbound P.M. Peak Period transit riders. Again, this table demonstrates that the C-3 district transit demand is equal to what is reported as the total demand from the entire city.

The same type of analysis can be performed transit system by transit system. For example, take BART.

a. The Regional screenline for BART is the same as the C-3 boundary.

b. Outbound P.M. Peak Period PTE from the C-3 District alone is 21,755 additional riders from 1984 to 2000.

c. The DTP EIR states that total BART ridership from all areas and sources will increase by 21,600 riders from 1984 to 2000.

This does not make any sense. These tables indicate there is no difference between total increased transit demand from the 92,000 additional C-3 employees and the increase transit demand from the 184,000 additional citywide employees. No non-C-3 area riders show up on BART, contrary to the statements by the DCP.

## SECOND PERSPECTIVE

(2) SFRG will use a totally different approach to demonstrate the fact that despite Department assertions to the contrary, the transit demand from the C-3 area alone equals what the Department contends is the citywide total transit demand. This approach uses information on work-related trips only. As noted previously, all C-3 workers who are at work in the C-3 District in the evening exert the outbound PTE on their way home.

Table IV.C.16 of the Downtown Pln EIR shows there will be 91,260 additional C-3 District workers between 1984 and 2000. There will also be approximately 91,260 additional non-C-3 workers, 45,630 of which will be in the downtown San Francisco non-C-3 area.

The following dicussion will demonstrate that the number of addtional transit riders which the DTP EIR states will occur from increased citywide employment is too small, and only reflects the transit trips which could be expected from increase employment in the C-3 area of Downtown San Francisco.

The DTP EIR (and the Downtown Plan itself on p. 117) states its transit projections are based on achieving its goal of 62% transit ridership. This is confirmed by Table IV.E.1 which shows that in 1984 transit ridership was 59.6% of P.M. Peak Period commuters and in 2000 will be 62.4% of P.M. Peak Period commuters. (See SP-4.)

The DTP EIR also states that 70% of C-3 employees travel from work during the P.M. Peak Period. This is also confirmed by SP-3 which shows 68.4% travel in the P.M. Peak Period in 1984 and 68.9% of commuters will travel in the P.M. Peak Period in 2000.

There will be 91,260 additional C-3 workers from 1984 to 2000. (See SP-2.)

Using the above information, it can be calculated that 44,654 additional C-3 workers will use outbound public transit during the P.M. Peak Period due to C-3 employment increases from 1984 to 2000. This calculation is based entirely on employment based estimates in the Downtown Plan EIR. The calculation is:

| | | | | |
|---|---|---|---|---|
| Transit Trips By Additional C-3 Workers | (91,260) | (68.9% of workers) commuting in peak period | (62.4% on Transit) | = 39,326 |
| Increased Trips By 280,000 Existing C-3 Workers | (280,860) | (68.9% of workers) commuting in peak period | (62.4% - 59.6% on) Transit | = 5,418 |
| Additional C-3 workers on Transportation 1984 to 2000 | | | | = 44,454 |

The Downtown Plan EIR shows that there will be 46,900 additional outbound P.M. peak period transit riders (work-related) for all of the city (C-3 and non-C-3) during the P.M. Peak Hour.

If the 91,260 additional C-3 workers from 1984 to 2000 will take approximately 44,600 trips on transit during the P.M. Peak Period, and there are only 46,900 additional transit trips projected from all areas and sources, there are virtually no additional trips associate with the 91,260 non-C-3 workers.

Based on the DTP EIR employment estimates: 68.9% of workers commute during the P.M. peak period; 62% of the workers take transit; there is 0.14 non-work transit rider for each worker. Based on these estimates there should be 87,522 additional Outbound P.M. Peak Period transit riders.

| Areas | Number of Additional Workers | Number of Additional Workers on Downtown Transit During the the P.M. Period | Number of Additional Outbound non-workers on Downtown Transit during the P.M. Peak Period | Total Additional Outbound Riders on Transit |
|---|---|---|---|---|
| Downtown Non-C-3 District | 91,260 | 44,654 | 6,251 | 50,905 |
| Downtown Non-C-3 District Surrounding the C-3 Area | 45,630 | 22,327 | 3,125 | 25,452 |
| Remaining Non-C-3 Area of S.F.* | 45,630 | 11,165 | n.a. | 11,165 |
| Entire City | | | | 87,522 |

*Assumes approximately one-half of additional transit riders will travel to the Downtown C-3 area and then transfer to outbound transit. This is based on patterns of residence predicted by the Downtown Plan EIR.

The Downtown Plan EIR is inadequate because it assesses the impacts of only 46,900 total additional transit riders from over 182,520 additional San Francisco workers and non-workers, while the transit ridership characteristics described in the Downtown Plan EIR indicate there will be 87,522 additional riders. Thus the Downtown Plan EIR analyzed only half of the probable numbers of additional transit riders.

The Department will be quick to criticize this analysis by saying the additional 44,454 C-3 numbers may not get to the regional screenline in the peak period, but may be somewhere between the C-3 boundary and the transit screenline. Again, SFRG believes this makes little difference. But to be totally above reproach, this exact calculation can be used for those transit systems which have identical C-3 boundaries and transit screenlines.

Take BART, for instance. Table J.5 in the DTP EIR shows that 16.7% of the P.M. Peak Period commuterss used BART in 1984 and 20.% of the P.M. Peak Period commuters will use BART in 2000.

Additional C-3 District worker Transit Trips

on BART 1984-2000

(91,260)(20.6%)(68.9%) + (280,860)(20.6% - 16.4%)(68.9%) =

12,956 + 8,127 = 21,083

Therefore, there should be 21,083 Outbound C-3 workers on BART due to C-3 District employment growth from 1984 to 2000. However, Table IV.E.2 of the DTP EIR shows that there will be an increased transit demand of 21,600 riders on BART during the P.M. Peak Period from all sources -- C-3 District workers and non-workers and non-C-3 District workers and non-workers.

Since the transit screenlines for BART are identical to the C-3 boundaries, the transit analysis in the Downtown Plan EIR fails to include the transit demand for the non-C-3 area.

Please respond to the above comments. The cumulative impact of transit in San Francisco is too important to be ignored.

## IV. COMMENTS ON SPECIFIC PAGES IN THE DRAFT EIR

P.53 What is the basis for the assumption that construction workers do not drive to work? (see last sentence page 53) 8-4

P.54 What would be the trip generation rate if the data on state buildings was not incorporated with the City of San Francisco's daily trip rate data? (see last paragraph page 54) 8-5

P.55 Please explain what the non-work trips in Table 6 represent 8-6

P.56 What is the regional screenline discussed in the second paragraph on this page? 8-7

P.57 In Table 7, how were the numbers for the outbound regional auto demand derived? How were they derived for 1984 and 2000? 8-8

P.58 In Table 8, have these intersection analysis taken into account the office and residential development that is proposed under the City's Van Ness Avenue Plan? This development includes approximately 5 million square feet of office space. The text of the Intersection Analysis section should include a discussion of the increased traffic from the Van Ness Avenue Plan. It should note that the Van Ness Avenue 8-9

Plan is an area that was not part of the Downtown Plan analysis (the non-C-3 Downtown) and that the Hastings project is adjacent to the area of the Van Ness Avenue Plan.

P.59 When was the field observation made for the parking spaces? 8-10
Footnote 10 on page 67 does not include this information.

P.61 The chart on this page is extremely difficult to read. A clearer version should replace this one in the Responses to 8-11
Comments Document.

P.90 Please state where the state workers are moving from? How 8-12
many workers are currently located at each of the sites that
are now scattered around the City. Please include a map to 8-13
show where these offices are located vis-a-vis Hastings Law School as it currently exists as well as the proposed
building. Please include how many people will be in the new 8-14
State building scheduled to open soon on Van Ness Avenue a few
blocks away. Could this new State building accomodate more 8-15
workers?

Please give a total of all state workers in the City of San 8-16
Francisco and any plans for further expansion or relocation of
state workers. 8-17

Please describe the situation of overcrowding at thee current
state offices where these workers will be moving from. This 8-18
should include statistics on the numbers of workers at each

location and the number of workers per square foot at each location.

Since according to the EIR this is a "known" work force, please discuss and list the residence of the workers and the 8-19 mode of transportation to work currently. 8-20

Please clarify the following two passages that seem to conflict. The first is on page 90, last sentence, third paragraph, and the second is also on page 90, first sentence, 4th paragraph:

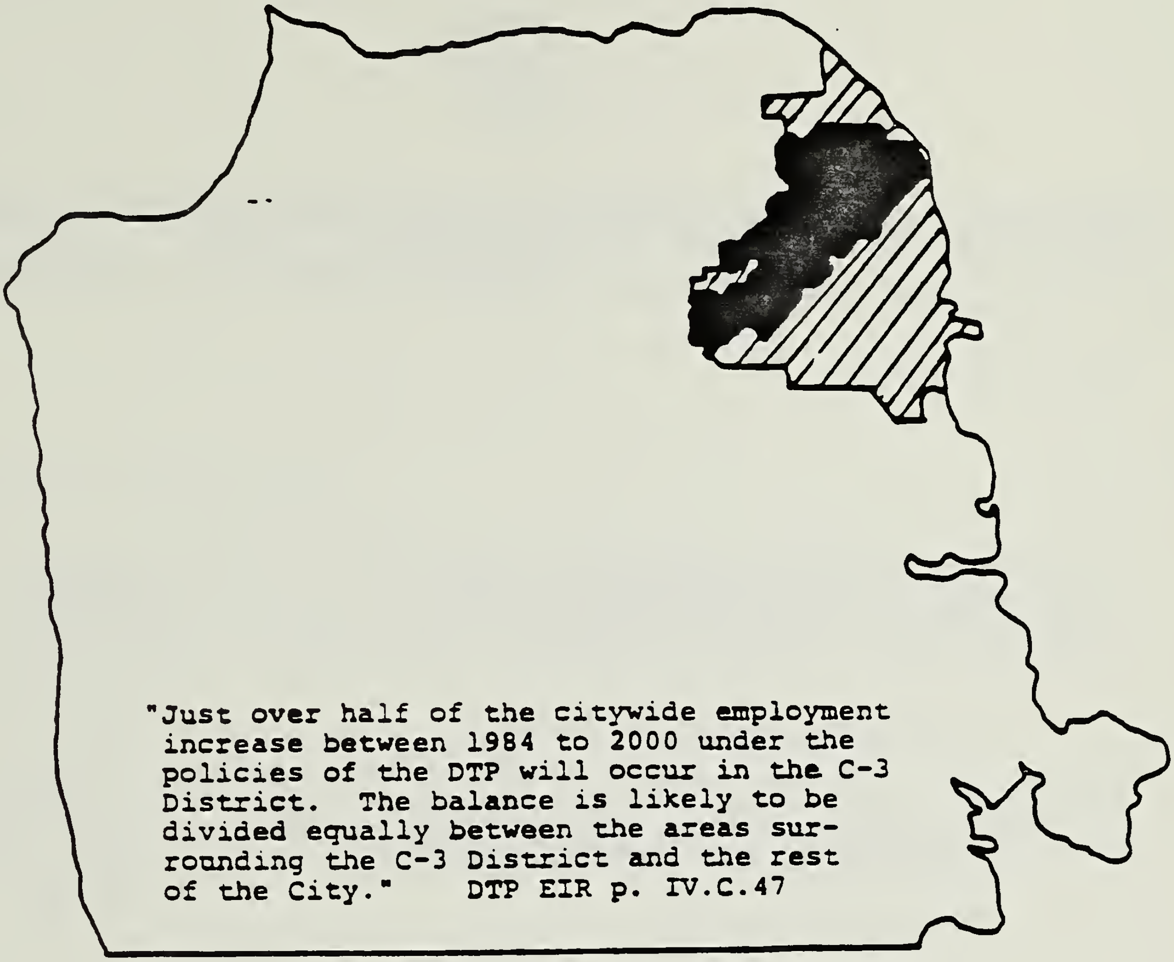
> "only those employees creating an overcrowding condition would be moved"

and

> "If the governmental workers relocating to the project site were to vacate their current offices and if the vacated office space were to be leased to employees new to San Francisco, total employment within the City could increase through the indirect effect of backleasing vacated office space."

There is confusion here. Commenter thought only those workers that created overcrowding were to be moved. Then right after that the Draft says, that the vacated space may be rented. For what, to create more overcrowding? If crowding is not an issue then perhaps there is no need for this project. Please 8-21 explain these conflicting passages and please explain the need for the project in light of the above confusion. 8-22

SP-1



"Just over half of the citywide employment increase between 1984 to 2000 under the policies of the DTP will occur in the C-3 District. The balance is likely to be divided equally between the areas surrounding the C-3 District and the rest of the City." DTP EIR p. IV.C.47

GEOGRAPHIC AREA

■ C-3 AREA OF DOWNTOWN S.F.: THE AREA WHERE MOST OFFICE SPACE PRESENTLY EXISTS AND WHERE FUTURE OFFICE SPACE IS PLANNED. 91,260 ADDITIONAL WORKERS BY 2000.

▨ NON-C-3 AREA OF DOWNTOWN SF: THE AREA WHERE MAJOR OFFICE SPACE IS PLANNED FOR FUTURE AND WHICH USES THE SAME TRANSPORTATION/TRANSIT NETWORK AS THE C-3 OF DOWNTOWN. 45,630 ADDITIONAL WORKERS BY 2000.

☐ REMAINING NON-C-3 AREA OF SF: NOT PART OF DOWNTOWN OFFICE DISTRICT. THIS AREA WILL HAVE 45,630 ADDITIONAL WORKERS BY 2000.

SP-1

DOCUMENTATION SUBSTANTIATING THAT THE DTP EIR DISCUSSION OF FUTURE CITYWIDE EMPLOYMENT DIVIDES THE CITY INTO THREE AREAS AND THAT APPROXIMATELY 50% OF THIS EMPLOYMENT INCREASE WILL BE IN THE C-3 AREA OF DOWNTOWN; 25% IN THE NON-C-3 AREA OF DOWNTOWN; AND 25% IN THE REST OF THE CITY.

SP-2

DOCUMENTATION SUBSTANTIATING THAT THERE WERE 280,860 C-3 WORKERS IN 1984 AND THAT THERE WILL BE 91,250 ADDITIONAL C-3 WORKERS BETWEEN 1984 AND 2000.

| | |
|---|---|
| C-3 DISTRICT WORKERS IN 1984 | 280,860* |
| C-3 DISTRICT WORKERS IN 2000 | 372,1208* |
| INCREASE IN C-3 DISTRICT WORKERS FROM 1984 TO 2000 | 91,260 |

*From DTP EIR Table IV.C.15 (p.IV.C.41)

SP-3

DOCUMENTATION SUBSTANTIATING THAT THE DOWNTOWN PLAN EIR SHOWS ABOUT 70% OF THE C-3 WORKERS TRAVEL OUTBOUND FROM THE C-3 DISTRICT DURING THE 2 HOUR P.M. PEAK PERIOD COMMUTE.

The DTP EIR states that:

> "The C-3 District employee survey was necessary to establish the time and mode of travel of san francisco c-3 district employees, of whom about 70% travel to and from work during morning and evening peak periods of travel" (apppendix j, page j.6)

SP-4 on the next page is an annotated version of table iv.e.1 from the DTP EIR. This table confirms that approximately 70% (68.4% in 1984 and 68.9% in 2000) of the C-3 workers will commute during the P.M. Peak Period.

SP-4

TABLE IV.E.1: C-3 DISTRICT TOTAL AVERAGE P.M. PEAK-HOUR AND PEAK-PERIOD PERSON TRIP-ENDS BY MODE, 1981/82, 1984, 1990 AND 2000 UNDER THE DOWNTOWN PLAN (a)

| Primary Mode of Travel | 1984 pte (b) Work | | 2000 pte (b) Work | |
|---|---|---|---|---|
| **P.M. Peak Hour** | | | | |
| Drive Alone | 22,980 | | 24,580 | |
| Carpool (c) | 21,300 | | 29,100 | |
| Vanpool | 2,530 | | 3,620 | |
| Muni | 29,510 | 72,460 PTE on Transit (57.9%) | 36,540 | 100,720 PTE on Transit (60.5%) |
| BART | 22,320 | | 36,120 | |
| AC Transit | 8,860 | | 9,250 | |
| SamTrans | 1,900 | | 3,050 | |
| Charter/Club Bus | 1,020 | | 1,490 | |
| CalTrain (SPRR) | 2,720 | | 4,360 | |
| GGT Bus | 5,170 | | 8,180 | |
| GGT Ferry | 780 | | 1,450 | |
| Tiburon Ferry | 180 | | 260 | |
| Jitney | 450 | | 580 | |
| Motorcycle | 330 | | 410 | |
| Bicycle | 90 | | 100 | |
| Walk (d) | 5,380 | | 6,900 | |
| Taxi | 430 | | 560 | |
| TOTALS | 125,150 | 44.6% of the 280,860 Downtown workers commute during P.M. Peak Hour | 166,550 | 44.7% of the 372,860 Downtown workers commute during P.M. Peak Hour |
| **P.M. Peak Period** | | | | |
| Drive Alone | 32,820 | | 37,640 | |
| Carpool (c) | 28,430 | | 37,040 | |
| Vanpool | 3,360 | | 4,610 | |
| Muni | 54,700 | 114,690 PTE on Transit (59.6%) | 67,230 | 159,950 PTE on Transit (62.4%) |
| BART | 32,050 | | 52,930 | |
| AC | 11,990 | | 14,890 | |
| SamTrans | 2,900 | | 4,530 | |
| Charter/Club Bus | 1,000 | | 1,520 | |
| CalTrain (SPRR) | 3,700 | | 5,300 | |
| GGT Bus | 7,340 | | 11,870 | |
| GGT Ferry | 1,010 | | 1,680 | |
| Tiburon Ferry | 300 | | 450 | |
| Jitney | 780 | | 990 | |
| Motorcycle | 740 | | 920 | |
| Bicycle | 130 | | 150 | |
| Walk (d) | 10,070 | | 13,540 | |
| Taxi | 860 | | 1,040 | |
| TOTALS | 192,180 | 68.4% of the 280,860 Downtown workers commute during P.M. Peak Period | 256,330 | 68.9% of the 372,860 Downtown workers commute during P.M. Peak Period |

---

(a) The values in this table for employee travel in 1990 and 2000 are calculated on the basis of the Downtown Plan's Goals regarding increased ride-sharing and transit use not being met. If the Plan's Goals are achieved, the Drive Alone travel values for work trips would decrease from the above and the Carpool, Vanpool and transit values would increase.

(b) Total person trip-ends (pte) to destinations or from origins in the C-3 District.

(c) Carpools are vehicles with up to three persons including the driver.

(d) Exclusive pedestrian travel; does not include other pedestrian travel made in conjunction with travel on other modes (i.e., walking to a bus stop). (See text for discussion.)

SOURCE: TJKM Transportation Consultants

SP-4

ANNOTATED VERSION OF DTP EIR TABLE IV.E.1 CONFIRMING STATEMENTS IN THE

SP-5

DOCUMENTATION SUBSTANTIATING THAT APPROXIMATELY 62.4% OF C-3 WORKERS WILL USE TRANSIT AS THEIR MODE OF TRANSPORTATION IN 2000.

The DTP EIR states that:

> "The transit agencies serving the C-3 district carry approximately 60% of the p.m. peak period employee work travel as well as about 20% of the p.m. peak period other travel." (p.IV.E.7)

In addition, DTP EIR Table J.5 entitled "C-3 Modal Split; Percentage of Commute by Primary Travel Mode" shows that:

> 59.8% of the P.M. Peak Period commute travel in 1984 will be on transit.
>
> 62.6% of the P.M. Peak Period commute travel in 2000 will be on transit.

In addition, the annotated version of DTP EIR Table IV.E.1 or SP-4 shows that 59.6% of the P.M. Peak Period commute travel in 1984 was on transit and that 62.4% of the P.M. Peak Period commute travel in 2000 will be on transit.

SP-6

DOCUMENTATION THAT THE DOWNTOWN PLAN EIR TABLES J.3, J.4, IV.E.1 AND 201 SPEAR STREET SEIR TABLE 2 HAVE IDENTICAL INFORMATION.

The comparison of the information contained in the four above Department of City Planning Tables indicating 1984 to 2000 increase in Person Trips Ends (PTE) for the C-3 district.

| TABLE NUMBER AND TITLE | ADDITIONAL P.M. PEAK HOUR PTES FROM 1984 - 2000 SHOWN IN TABLE | | ADDITIONAL P.M. PEAK PERIOD PTES FROM 1984 - 2000 SHOWN IN TABLE | |
|---|---|---|---|---|
| | work | non-work | work | non-work |
| DTP EIR TABLE J.3* "Peak Hour and Peak Period C-3 District Travel by Business Activity Group" | 41,400 | 12,270 | 64,240 | 25,270 |
| DTP EIR* TABLE J.4 "P.M. Peak Period C-3 Travel Distribution | peak hour not shown | | 64,150 | 25,150 |
| DTP EIR* TABLE IV.E.1 "C-3 District Total Average P.M. Peak Hour and Peak Period Person-Trip-Ends by Mode | 41,400 | 12,250 | 64,150 | 25,150 |
| 201 Spear SEIR Table 2 "Comparison of List Method and Economic Forecast Method Outbound P.M. Peak Hour Cumulative Travel Demand From C-3 Growth | 41,400 | 12,100 | peak period not shown | |

*Tables indicate that slight differences are due to rounding.

SP-7

DOCUMENTATION SUBSTANTIATING THAT DOWNTOWN PLAN EIR TABLES J.3, J.4 IV.E.1 AND SEIR TABLE 2 CONTAIN ONLY C-3 TRANSIT DEMAND AND CONTAIN NO NON-C-3 COMPONENT.

The Department stated in a brief to the Board of Permit Appeals dated February 28, 1985, that:

> **"Table J.3 is entitled 'P.M. Peak-Hour C-3 district travel by business activity group...'. This table simply does not represent person trip ends outside the C-3 district."** (p.26)

The Department stated on November 14, 1985 at the 201 Spear Street SEIR permit application hearing that:

> **"Table J.3 is in fact simply travel from the C-3 district. It doesn't purport to be anything else,...you cannot use table J.3 to reflect anything but travel from the C-3 as it is labeled." (p.30 -31 of 201 spear transcript)**

SP-8

DOCUMENTATION SUBSTANTIATING THAT EACH C-3 WORKER WHO CROSSES THE C-3 BOUNDARY AREA ON TRANSIT HAS ONE INBOUND PERSON TRIP END (PTE) IN THE MORNING COMING TO THE C-3 AREA AND ONE OUTBOUND PTE IN THE EVENING DEPARTING THE C-3 AREA.

Trip generation assumptions in the DTP EIR are discussed in Appendix J, pages J.3 through J.9. This appendix logically presumes that each C-3 worker generates two one-way person-trip-ends for work, one in the morning and one in the evening. The downtown plan eir states that:

> "Each employee has two one-way person-trip-ends for work" (p.j.6); and,
>
> "Employee travel in the P.M. Peak has been generated using employee departures as a base." (p. j.9)

Thus, it is presumed that C-3 employees generate outbound ptes.

SP-9

DOCUMENTATION SUBSTANTIATING THAT DOWNTOWN PLAN EIR TABEL IV.E.2 AND 201 SPEAR STREET SEIR TABLE 3 SUMMARIZE IDENTICAL INFORMATION, SHOW OUTBOUND RIDER DEMAND ONLY, AND INCLUDE TRANSIT DEMAND FROM ALL SOURCES.

DTP EIR Table IV.E.2 is entitled "Outbound P.M. Peak-Hour and Peak-Period Transit Riderships, Passenger per Seat Ratios (p/s), and Levels of Service (los) at Regional and C-3 Screenline...". Footnote (d) for this table states "demand includes both C-3 district riders and riders from outside the C-3 district."

SEIR Table 3 is entitled "Outbound Regional Transit Demand and Level of Service" and columns containing DTP eEIRinformation are identical to the columns in DTP EIR Table IV.E.2.

SP-10

DOCUMENTATION SUBSTANTIATING THAT DOWNTOWN PLAN EIR TABLE IV.E.2 AND 201 SPEAR STREET SEIR TABLE 3 SHOW OUTBOUND TRANSIT DEMAND DURING THE P.M. PEAK PERIOD DOWNTOWN CANNOT INDICATE WHETHER THE TRIPS ARE FROM C-3 OR NON-C-3 ORIGINS.

In the responses to comments for the 201 spear seir, the department states that:

> "Because of the inherent complexity of the transportation modelling process, it was not possible to separately identify the non-C-3 travel component for several of the transit carriers. Therefore, the portion of travel labeled 'C-3 travel' in many cases also includes some non-C-3 travellers. As explained in Appendix J to the DTP EIR, in some cases it was not possible to separate C-3 and non-C-3 travellers reflected on the totals. (see pp. j.20 - 25)" (p.98)

In addition, the Department states in the Responses to Comments for the Hills Plaza Eir that:

> "It becomes clear that while total travel on various transportation systems is accurately projected by the computer model [in the DTP EIR], the portion of the total that represents non-C-3 travellers cannot be identified in such a way as to permit comparison with any estimates of numbers of workers expected to have jobs in the non-C-3 portions of the greater downtown." (p.106, Hills Plaza Responses to Comments EE #84.41)

SP-11

## DOCUMENTATION SUBSTANTIATING THAT THE TRAVEL CHARACTERISTICS FOR THE DOWNTOWN SAN FRANCISCO NON-C-3 AREA EMPLOYEES WHICH ARE IN CLOSE PROXIMITY TO THE C-3 AREA ARE APPROXIMATELY THE SAME AS FOR THE C-3 WORKERS

The workers from the non-C-3 area of downtown San Francisco utilize the same transportation and transit systems in the same time frame as do the C-3 workers. DTP EIR Figure IV.E.1 shows most of the downtown non-C-3 area is within the transit screenlines established as part of the DTP EIR transit methodology.

The Department has recently certified the EIR for the Hills Plaza project and has issued an SEIR for the Second and Folsom project. Both of these projects are in the non-C-3 area. However, they both presume the travel demand from the projects and the travel characteristics (i.e. percentage on transit to the East Bay, etc.) will be identical to C-3 projects. These EIRs state:

> "The Second and Folsom project is outside the C-3 District. However, travel behavior of Second and Folsom project in the future has been assumed to be similar to travel in the C-3 District because of the close proximity of the Second and Folsom site to existing and proposed boundaries of the C-3 district as a result of proposed transit improvements for the South of Market area, and because the commerical land uses proposed for Second and Folsom are similar to C-3 District land uses.(p.42 2nd & Folsom SEIR EE #81.18; the same quotation appears on p. 101 Hills Plaza DEIR EE #84.41)

Many downtown non-C-3 buildings are closer to BART, the MUNI Metro, SamTrans, A.C. Transit, and Caltrain than most C-3 buildings. In addition, Appendix J of the Downtown Plan EIR states:

> "For vehicular traffic, peak hour non-C-3 travel for future years was increased based on historical growth trends for each roadway. For the Golden Gate and Bay Bridges, no growth in non-C-3 vehicle trips was assumed." (DTP EIR p. J.22)

Also, Table IV.E.3 from the Downtown Plan EIR shows that US-101 and I-280 will be over capacity and that increase transit usage and car pooling is expected to increase. Therefore, the non-C-3 area of Downtown can be expected to have the same transit ridership characteristics as the C-3 area because of its close proximity and because of lack of viable alternatives.

SP-12

| Peak Period: | 1984 | | 2000 | | Increase From 1984-2000 | | 1984-2000 Outbound | 1984-2000 Inbound |
|---|---|---|---|---|---|---|---|---|
| | work | other | work | other | work | other | Increase | Increase |
| MUNI | 54,700 | 9,870 | 67,230 | 12,400 | 12,530 | 2,530 | 13,795 | 1,265 |
| BART | 32,050 | 5,910 | 52,930 | 7,660 | 20,880 | 1,750 | 21,755 | 875 |
| AC TRANSIT | 11,990 | - | 14,890 | - | 2,900 | - | 2,900 | - |
| SAMTRANS | 2,900 | - | 4,530 | - | 1,630 | - | 1,630 | - |
| CALTRAIN | 3,700 | 1,490 | 5,300 | 1,860 | 1,600 | 370 | 1,785 | 185 |
| G.G. BUS | 7,340 | 590 | 11,870 | 740 | 4,530 | 150 | 4,685 | 75 |
| G.G. FERRY | 1,010 | - | 1,680 | - | 670 | - | 670 | - |
| TIB. FERRY | 300 | - | 450 | - | 150 | - | 150 | - |
| | | | | | 44,890 | 4,800 | 47,370 | 2,400 |
| **Peak·Hour:** | | | | | | | | |
| MUNI | 29,510 | 4,840 | 36,540 | 6,440 | 7,000 | 1,500 | 7,750 | 750 |
| BART | 22,320 | 2,850 | 36,120 | 3,890 | 13,800 | 1,040 | 14,320 | 520 |
| AC TRANSIT | 8,860 | - | 9,250 | - | 390 | - | 390 | - |
| SAMTRANS | 1,900 | - | 3,050 | - | 1,150 | - | 1,150 | - |
| CALTRAIN | 2,720 | 730 | 4,366 | 1,010 | 1,640 | 280 | 1,780 | 140 |
| G.G. BUS | 5,170 | 330 | 8,180 | 590 | 3,010 | 260 | 3,140 | 130 |
| G.G. FERRY | 780 | - | 1,450 | - | 670 | - | 670 | - |
| TIB. FERRY | 180 | - | 260 | - | 80 | - | 80 | - |
| | | | | | 27,740 | 3,080 | 23,890 | 1,540 |

C-3 DISTRICT P.M. PEAK HOUR AND PEAK PERIOD PERSON-TRIP-ENDS ON TRANSIT FOR 1984, 2000 and INCREASES FROM 1984 TO 2000. THIS TABLE DOCUMENTS THAT OUTBOUND PTE ACCOUNT FOR 95% OF TOTAL PTE.

Source: DTP EIR Table IV.E.1 on page IV.E.25

| TRANSIT SYSTEM | DTP EIR TABLE IV.E.1 MEASURING POINT AT C-3 BOUNDARY | DTP EIR TABLE IV.E.2 MEASURING POINT AT TRANSIT SCREENLINE | CONCLUSION |
|---|---|---|---|
| BART EASTBAY | Embarcadero | Embarcadero Station | o C-3 Boundary and Transit Screenline are virtually identical<br>o No C-3 Riders can get off transit system between C-3 boundary and transit screenline<br>o Comparing Table IV.E.1 and IV.E.2 information is legitimate |
| BART WESTBAY | Civic Center | Civic Center | o Same as BART EASTBAY |
| GOLDEN GATE & TIBURON FERRIES | Embarcadero | Ferry Building on Embarcadero | o Same as BART EASTBAY and WESTBAY |
| AC TRANSIT | Folsom Street | Bay Bridge | o C-3 Boundary and Transit Screenline are virtually identical<br>o No C-3 Riders can get off transit system between AC Terminal and transit screenline<br>o Comparing Table IV.E.1 and IV.E.2 information is legitimate |
| MUNI SOUTHWEST | 12th St. South of Market; Franklin St. North of Market. | 2 Blocks West of C-3 Boundary | o C-3 Boundary and Transit Screenline are virtually identical<br>o Almost no riders expected to get off MUNI between C-3 Boundary and Transit Screenline (Most are physically unable to do so because they are in the MUNI Metro.)<br>o Comparing Table IV.E.1 and IV.E.2 information is legitimate |

continued on next page

(continued from previous page)

| TRANSIT SYSTEM | DTP EIR TABLE IV.E.1 MEASURING POINT AT C-3 BOUNDARY | DTP EIR TABLE IV.E.2 MEASURING POINT AT TRANSIT SCREENLINE | CONCLUSION |
|---|---|---|---|
| CALTRAIN | Folsom Street | Townsend Street Station | o Meaningless Beyond the C-3 Boundary<br>o However, no C-3 riders can get off "between" C-3 Boundary and screenline, since all riders leave from one location -- the Townsend Street station |
| MUNI SOUTHEAST<br>NORTHEAST<br>NORTHWEST | C-3 Boundary | Transit Screenlines | o There is significant non-C-3 area between the C-3 boundary and the regional screenline<br>o Many non-C-3 riders could get of MUNI between the C-3 boundary and the regional screenline<br>o It is inappropriate to compare Tables IV.E.1 and IV.E.2 |

COMPARISON OF DIFFERENCES IN THE C-3 BOUNDARY USED TO MEASURE C-3 DISTRICT TRAVEL DEMAND IN TABLE IV.E.1 of THE DTP EIR (TABLE 2 in 201 SPEAR ST. SEIR) and THE TRANSIT SCREENLINES USED TO MEASURE C-3 and NON-C-3 RIDERSHIP IN TABLE IV.E.2 OF THE DTP EIR (TABLE 3 in 201 SPEAR ST. SEIR)

| | INCREASE FROM 1 -2 IN OUTBOUND TRANSIT CUMULATIVE TRANSIT FROM C-3 DISTRICT ONLY (SP-12, DTP EIR TABLE IV.E.1, SEIR TABLE 2) 1. | INCREASE FROM 198 000 IN OUTBOUND TRANSIT RIDERSHIP DEMAND FROM C-3 and NON-C-3 DISTRICT (DTP EIR TABLE IV.E.2, SEIR TABLE 3) 1. | INCREASE FROM 1984-2000 IN OUTBOUND TRANSIT RIDERSHIP IN THE NON-C-3 AREA FOR SAN FRANCISCO |
|---|---|---|---|
| Peak Hour | | | |
| ART (Transbay nd Westbay) | 14,320 | 14,200 | -120 |
| OLDEN GATE FERRY | 670 | 700 | 30 |
| C TRANSIT | 390 | 1,400 | 1,100 |
| ALTRAIN | 1,780 | 1,800 | 20 |
| IB. FERRY | 80 | 100 | 20 |
| TOTAL | 17,240 | 18,200 | 960 |
| Peak Period | | | |
| ART (Transbay nd Westbay) | 21,755 | 21,600 | -155 |
| OLDEN GATE FERRY | 670 | 600 | - 70 |
| C TRANSIT | 2,900 | 3,000 | 100 |
| ALTRAIN | 1,785 | 1,700 | - 85 |
| IB. FERRY | 150 | 200 | 50 |
| TOTAL | 27,260 | 27,100 | -160 |

SP-14

OMPARISON OF DTP EIR TABLE IV.E.2 (201 Spear St. SEIR Table 3), INCREASED OUTBOUND RIDERSHIP DEMAND FROM -3 and NON-C-3 AREA TO INCREASE OUTBOUND RIDERSHIP DEMAND FROM C-3 DISTRICT ONLY IN DTP EIR TABLE IV.E.L (201 Spear St. SEIR Table 2).

[1] Muni is not include above for two reasons: (1.)For MUNI NE, NW, and SE there was significant differences between C-3 boundary and regional screenline and (2.) DTP EIR Table IV.E.2 states that MUNI ridership cannot be summed over corridors to give total system demand. Such a sum would incorrectly double count capacity on routes that serve more than one corridor

SP-15

## TABLE IV.E.2: OUTBOUND P.M. PEAK-HOUR AND PEAK-PERIOD TRANSIT RIDERSHIPS, PASSENGERS PER SEAT RATIOS (P/S) AND LEVELS OF SERVICE (LOS)(a) AT REGIONAL AND C-3 DISTRICT SCREENLINES, 1981/82, 1984, 1990 AND 2000 UNDER THE DOWNTOWN PLAN (b)

| | | 1984 | | | | 1990 | | | | 2000 | | | | | Increase in Transit Demand |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Transit Agency | Screenline(c) | Demand | P/S | LOS | % Change from 1981(e) | Demand | P/S(f) | LOS | % Change from 1984 | Demand | P/S(f) | LOS | % Change from 1984 | % Change from 1990 | 1984 - 2000 |
| **P.M. Peak Hour** | | | | | | | | | | | | | | | |
| Muni (g) | Northeast | 7,100 | 1.16 | D | 9.2 | 7,900 | 1.13 | D | 11.3 | 8,800 | 1.05 | D | 23.9 | 11.4 | 1,700 |
| | Northwest | 8,200 | 1.26 | E | 7.9 | 9,200 | 1.26 | E | 12.2 | 10,100 | 1.25 | D | 23.2 | 9.8 | 1,900 |
| | Southwest | 13,500 | 1.45 | E | 8.0 | 15,100 | 1.44 | E | 11.9 | 16,600 | 1.42 | E | 23.0 | 9.9 | 3,100 |
| | Southeast | 5,300 | 1.06 | D | 8.2 | 6,200 | 1.03 | D | 17.0 | 7,400 | 1.01 | D | 39.6 | 19.4 | 2,100 |
| BART | Trans-Bay Tube | 16,100 | 1.53 | F | 8.8 | 20,500 | 1.42 | E | 27.3 | 27,900 | 1.42 | E | 73.3 | 36.1 | 11,800 |
| | Civic Center | 7,700 | 1.10 | D | 6.9 | 8,800 | 1.26 | D | 14.3 | 10,100 | 1.06 | D | 31.2 | 14.8 | 2,400 |
| AC Transit | Bay Bridge | 9,100 | 0.94 | C | 7.1 | 10,500 | 1.08 | D | 15.4 | 10,500 | 1.08 | D | 15.4 | 0.0 | 1,400 |
| GGT Bus | Golden Gate Bridge | 5,300 | 1.00 | C | 10.4 | 6,600 | 0.86 | C | 24.5 | 8,500 | 0.91 | C | 60.4 | 28.8 | 3,200 |
| GGT Ferry | Bay | 800 | 0.57 | B | 14.3 | 1,100 | 0.28 | A | 37.5 | 1,500 | 0.38 | A | 87.5 | 36.4 | 700 |
| Tiburon Ferry | Bay | 200 | 0.40 | A | 0.0 | 200 | 0.40 | A | 0.0 | 300 | 0.60 | B | 50.0 | 50.0 | 100 |
| SamTrans | County Line | 1,900 | 1.12 | D | 5.6 | 2,400 | 1.20 | D | 26.3 | 3,100 | 1.19 | D | 63.2 | 29.2 | 1,200 |
| CalTrain (SPRR) | Fourth St. Station | 3,100 | 0.61 | B | 6.9 | 4,000 | 0.65 | B | 29.0 | 4,900 | 0.79 | C | 58.1 | 22.5 | 1,800 |
| | | | | | | | | | | | | | | TOTAL : | 31,400 |
| **P.M. Peak Period** | | | | | | | | | | | | | | | |
| Muni (g) | Northeast | 12,600 | 1.06 | D | 5.0 | 13,900 | 1.01 | D | 10.3 | 15,500 | 0.95 | C | 23.0 | 11.5 | 2,900 |
| | Northwest | 13,100 | 1.13 | D | 4.0 | 14,100 | 1.07 | D | 7.6 | 15,300 | 1.05 | D | 16.8 | 8.5 | 2,200 |
| | Southwest | 23,300 | 1.31 | E | 5.9 | 26,000 | 1.29 | E | 11.6 | 28,700 | 1.29 | E | 23.2 | 10.4 | 5,400 |
| | Southeast | 9,100 | 1.00 | C | 8.3 | 10,300 | 0.95 | C | 13.2 | 12,100 | 0.88 | C | 33.0 | 17.5 | 3,000 |
| BART | Trans-Bay Tube | 25,800 | 1.54 | F | 10.7 | 32,600 | 1.42 | E | 26.4 | 44,100 | 1.40 | E | 70.9 | 35.3 | 18,300 |
| | Civic Center | 11,300 | 0.80 | C | 6.6 | 12,800 | 0.91 | C | 13.3 | 14,600 | 0.77 | C | 29.2 | 14.1 | 3,300 |
| AC Transit | Bay Bridge | 14,000 | 0.95 | C | 9.4 | 17,000 | 1.16 | D | 21.4 | 17,000 | 1.16 | D | 21.4 | 0.0 | 3,000 |
| GGT Bus | Golden Gate Bridge | 7,600 | 0.90 | C | 8.6 | 9,500 | 0.77 | C | 25.0 | 12,200 | 0.81 | C | 60.5 | 28.4 | 4,600 |
| GGT Ferry | Bay | 1,000 | 0.56 | B | 11.1 | 1,400 | 0.27 | A | 40.0 | 1,700 | 0.33 | A | 70.0 | 21.4 | 700 |
| Tiburon Ferry | Bay | 300 | 0.60 | B | 0.0 | 400 | 0.80 | C | 33.3 | 500 | 1.00 | C | 66.7 | 25.0 | 200 |
| SamTrans | County Line | 2,900 | 1.12 | D | 7.4 | 3,400 | 1.13 | D | 17.2 | 4,500 | 1.15 | D | 55.2 | 32.4 | 1,600 |
| CalTrain (SPRR) | Fourth St. Station | 4,500 | 0.68 | B | 9.8 | 5,200 | 0.64 | B | 15.6 | 6,200 | 0.77 | C | 37.8 | 19.2 | 1,700 |
| | | | | | | | | | | | | | | TOTAL : | 46,900 |

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(a) The values in this table are calculated on the basis of the Downtown Plan's Goals regarding increased transit use and transit service availability not being met. If the Plan's Goals are achieved, transit demand would increase over that shown above and the passengers per seat ratios would improve over those shown above.
(b) See Table J.10, Appendix J, p. J.36, for descriptions of Level of Service for bus transit.
(c) Screenlines shown in Figures IV.E.1 and IV.E.2.
(d) Demand includes both C-3 District riders and transit riders from outside the C-3 District.
(e) Percent change in demand.
(f) The years 1990 and 2000 include improvements (increases in the number of seats) scheduled to occur during the 1982-87 and 1983-88 Five-Year Plan cycles for each agency (see Appendix J). Not all of the transit improvements included as Implementing Actions in the Downtown Plan are included in the improvements assumed to occur. Section V.E discusses the implications of the Plan's Actions.
(g) Muni ridership cannot be summed over the corridors to give total system demand. Such a sum would incorrectly double count capacity on routes that serve more than one corridor (see text for more discussion).

SOURCE: TJKM Transportation Consultants, Environmental Science Associates, Inc.

SFRG-15

ANNOTATED VERSION OF DTP EIR TABLE IV.E.2 SHOWING INCREASE IN TRANSIT DEMAND FROM 1984 to 2000

These totals are too high because, as footnote g states, adding the MUNI totals double counts MUNI trips. These totals should be considered the upper limit of transit demand.

REV. 10/18/84

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TABLE 1 COMMENTS & RESPONSES

## PROJECTS TO BE USED FOR LIST-BASED CUMULATIVE IMPACT ANALYSIS IN DOWNTOWN OFFICE PROJECT EIRS

-March 22, 1985-

### Projects Under Formal Review

| Block | Case No. | Project Name | Office (Gross Sq. Ft.) Total New | Office (Gross Sq. Ft.) Net New | Retail (Gross Sq. Ft.) Total New | Retail (Gross Sq. Ft.) Net New |
|---|---|---|---|---|---|---|
| * 60 | 84.230E | Lombard Plaza | 75,000 | 75,000 | | |
| * 110 | 82.129E | 1000 Front | 139,000 | 139,000 | 3,000 | 3,000 |
| * 112 | 83.447EA | 1100 Sansome/150 Green | 60,210 | 53,210 | 6,050 | 6,050 |
| * 142 | 84.517E | 998 Sansome | 26,670 | 24,720 | | |
| * 192 | 83.412ED | 1055 Stockton | | | 81,500 | 66,500 |
| * 195 | 84.533E | Columbus,Jackson,Kearny | 187,150 | 175,000 | 19,500 | 16,380 |
| 229 | 83.222EC | Embarcadero West | 611,000 | 589,000 | 60,000 | 60,000 |
| 239 | 85.79E | 343 Sansome | 373,000 | 279,800 | 9,000 | 9,000 |
| 267 | 84.432E | 235 Pine | 143,000 | 143,000 | 6,000 | 6,000 |
| 312 | 85.21EC | 720 Market | 43,000 | 43,000 | 6,000 | 6,000 |
| 347 | STATE | State Office Building | 226,880 | 226,880 | | |
| * 691 | 84.451E | 1200 Van Ness | 40,240 | 38,300 | 65,600 | 61,400 |
| * 740 | 85.22E | 619 Larkin | 2,910 | 2,910 | 1,960 | 1,960 |
| 814 | 81.540E | 101 Hayes | 132,000 | 132,000 | 6,000 | 6,000 |
| * 816 | 84.530E | 210 Fell | 64,530 | 49,530 | 12,120 | 2,490 |
| * 837 | 81.5V | Page Plaza (C) | 26,160 | 26,160 | | |
| * 3512 | 84.448E | Van Ness Gateway Center | 459,670 | 459,670 | 39,960 | 39,960 |
| * 3520 | 84.582F | 1489 Folsom (C) | 9,000 | 9,000 | 3,000 | 3,000 |
| * 3526 | 83.475V | 530-550 9th | 42,300 | 42,300 | | |
| 3702 | 83.196E | 1169 Mkt, Trinity | 820,000 | 805,000 | 40,000 | 40,000 |
| 3703 | 84.539E | 1035-45 Market (C) | 70,000 | 60,000 | 30,000 | -60,000 |
| 3705 | 85.73E | 55-5th Street (C) | 52,430 | 47,590 | 41,950 | 31,150 |
| 3708 | 84.455E | 2nd/Stevenson | 292,000 | 292,000 | 8,000 | 8,000 |
| 3721 | 84.403 | 535 Mission | 427,000 | 360,000 | 4,000 | -4,780 |
| 3721 | 83.331E | 100 First @ Mission | 348,920 | 342,000 | | |
| 3721 | 84.199E | 524 Howard | 270,000 | 270,000 | 4,430 | 4,430 |
| 3735 | 83.313E | 35 Hawthorne | 47,400 | 47,400 | 2,900 | 2,900 |
| 3736 | 84.358E | 201 2nd @ Howard | 29,300 | 29,300 | 4,900 | 4,900 |
| 3736 | 83.311E | 299 2nd @ Folsom | 267,760 | 232,760 | 15,580 | 13,630 |
| * 3744 | 84.41E | Hills Bros (C)(M) | 635,000 | 535,000 | 40,000 | 40,000 |
| * 3747 | 85.58E | 300 Beale (C)(M) | 130,670 | 130,670 | 4,700 | 4,700 |
| * 3749 | 83.464EV | 50 Guy Place | 17,500 | 17,500 | | |
| * 3761 | 84.299E | 220 Harrison | | | 10,000 | 10,000 |
| * 3769 | 83.213EV | 59 Harrison (C) | 113,500 | 49,750 | | |
| * 3786 | 84.504E | 340 Townsend | 48,000 | 48,000 | 1,300 | 1,300 |
| * 3788 | 82.352EV | 640 2nd | 39,100 | 37,400 | | |
| * 9900 | SFRA | Rincon Point/S.Beach | 65,000 | 65,000 | 20,000 | 20,000 |
| *[1] many | SFRA | YBC (misc. bldgs) | 621,000 | 621,000 | | |
| | | | ======= | ======= | ======= | ======= |
| TOTAL UNDER FORMAL REVIEW | | | 6,956,300 | 6,498,850 | 547,450 | 403,970 |

DEPT OF CITY PLANNING

Non-C-3 projects

1. 121,000 gross and net square feet of YBC (misc. Bldgs) is in the non-C-3 area.

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## Projects Approved, Not Yet Under Construction
-March 22, 1985-

| Block | Case No. | Project Name | Office (Gross Sq. Ft.) Total New | Office (Gross Sq. Ft.) Net New | Retail (Gross Sq. Ft.) Total New | Retail (Gross Sq. Ft.) Net New |
|---|---|---|---|---|---|---|
| * 59 | 83.177E | 1620 Montgomery | 82,270 | 45,390 | | |
| *113 | 82.418EVAD | 1171 Sansome | 22,000 | 22,000 | | |
| *130 | 83.612C | 1558 Powell | 2,500 | 2,500 | | |
| *136 | 83.476V | 962 Battery | 15,000 | 15,000 | | |
| *176 | 82.368E | 900 Kearny | 25,000 | 25,000 | 5,000 | 5,000 |
| *194 | 83.128E | 732 Washington | 17,500 | 17,500 | 11,240 | 11,240 |
| *225 | 81.403ED | 814 Stockton | 3,500 | 3,500 | 3,300 | 3,300 |
| 227 | 82.463E | 505 Montgomery | 314,000 | 287,400 | 12,100 | -4,780 |
| 236 | 82.511E | 222 Front | 20,800 | 13,940 | 3,250 | -0- |
| 271 | 83.13E | 582 Bush | 18,100 | 18,100 | 800 | 800 |
| 288 | 83.148E | 665 Bush (M) | 12,400 | 2,600 | | -2,700 |
| 294 | 82.87D | 44 Campton Place | 7,600 | 7,600 | | |
| 309 | 83.333E | 212 Stockton | 32,220 | 15,890 | 21,700 | 16,200 |
| 326 | 83.86E | 156 Ellis | 3,200 | 3,200 | | |
| 327 | 82.445E | Stockton/O'Farrell | 43,300 | 25,750 | 57,950 | 28,000 |
| * 336 | 83.21ECV | 440 Turk | 25,000 | 8,150 | | |
| * 671 | 82.24V | 1581 Bush (C) | 16,000 | 16,000 | | |
| 3702 | 81.549ED | 1145 Market | 137,500 | 108,500 | 8,000 | 8,000 |
| 3705 | 83.314E | 5th and Market | 535,000 | 535,000 | 120,000 | 40,000 |
| 3705 | 80.315 | Apparel Mart III | 332,400 | 332,400 | | |
| 3706 | 84.599D | 799 Market @ 4th (C) | 98,400 | 48,800 | 53,230 | -48,800 |
| 3708 | 83.75E | 49 Stevenson | 169,600 | 136,900 | 9,800 | -2,900 |
| 3735 | SFRA | Yerba Buena Center | 480,000 | 480,000 | | |
| * 3750 | 82.241E | 600 Harrison | 228,000 | 228,000 | 10,000 | 10,000 |
| * 3750 | 82.77V | 642 Harrison (C) | 54,400 | 45,900 | | |
| * 3789 | 81.552EV | 625 2nd/Townsend (C) | 157,000 | 157,000 | | |
| * 3794 | 82.416EV | 155 Townsend | 19,000 | 19,000 | | |
| * 3803 | 81.244D | China Basin Expansion | 196,000 | 196,000 | | |
| * 9900 | 81.63E | Ferry Building Rehab | 309,500 | 97,500 | 163,500 | 124,000 |
| many | SFRA | Yerba Buena Gardens | 1,250,000 | 1,250,000 | 201,000 | 201,000 |
| many | SFRA | Rincon Point/S.Beach | 635,000 | 635,000 | 185,000 | 185,000 |
| | | | ========= | ========== | ======== | ======= |
| TOTAL APPROVED | | | 5,262,190 | 4,799,520 | 865,870 | 573,360 |

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## Projects Under Construction
March 22, 1985

| Block | Case No. | Project Name | Office (Gross Sq. Ft.) Total New | Office (Gross Sq. Ft.) Net New | Retail (Gross Sq. Ft.) Total New | Retail (Gross Sq. Ft.) Net New |
|---|---|---|---|---|---|---|
| * 58 | 82.234E | Roundhouse (C) | 45,000 | 45,000 | 3,000 | 3,000 |
| * 65 | 82.168V | 990 Columbus | 12,000 | 12,000 | | |
| * 112 | 81.258 | Ice House (C) | 209,000 | 209,000 | | |
| * 136 | 81.243E | 955 Front/55 Green | 50,000 | 50,000 | | |
| * 143 | 81.353ED | 1000 Montgomery (C) | 39,000 | 39,000 | | |
| * 146 | 83.99EC | 644 Broadway | 42,800 | 42,800 | | |
| * 161 | DR80.191 | Mirawa Center | 36,000 | 36,000 | 30,650 | 30,650 |
| * 164 | 81.583D | 50 Osgood Place | 22,500 | 22,500 | 9,100 | 9,100 |
| * 166 | DR80.15 | 750 Battery | 105,400 | 105,400 | 12,800 | 12,800 |
| * 166 | CU81.7 | 222 Pacific at Front (C) | 142,000 | 142,000 | | |
| * 167 | SFRA | Golden Gateway III | 103,000 | 103,000 | | |
| * 176 | 81.673EACV | Columbus/Pacific(Savoy) | 49,000 | 49,000 | 22,000 | 22,000 |
| * 176 | 83.229E | 801 Montgomery | 31,800 | 31,800 | 6,200 | 6,200 |
| 208 | 81.104EDC | Washington/Montgomery (M) | 235,000 | 233,300 | 4,000 | -1,200 |
| 227 | EE80.296 | Bank of Canton | 230,500 | 177,500 | | -800 |
| 239 | DR80.1 | 456 Montgomery | 160,550 | 160,550 | 24,250 | 24,250 |
| 240 | 81.705ED | 580 California/Kearny | 329,500 | 260,000 | 6,500 | 6,500 |
| 261 | 81.249ECQ | 345 California (M) | 640,000 | 466,500 | 15,500 | 15,500 |
| 262 | 81.206D | 130 Battery | 41,000 | 41,000 | | |
| 265 | 81.195ED | 388 Market at Pine (M) | 234,500 | 85,500 | 10,000 | -8,500 |
| 268 | 81.422D | 250 Montgomery at Pine | 105,700 | 65,700 | 8,000 | 8,000 |
| 270 | 81.175ED | 466 Bush | 86,700 | 86,700 | 7,800 | 2,200 |
| * 271 | 81.517 | 453 Grant | 27,500 | 27,500 | 6,200 | 6,200 |
| 288 | 81.461EC | 333 Bush (Campeau)(M) | 498,400 | 458,100 | 20,900 | 20,900 |
| 288 | 81.687ED | 222 Kearny/Sutter | 150,000 | 49,950 | 10,000 | -8,400 |
| 288 | DR 80.24 | 101 Montgomery | 264,000 | 234,000 | 4,900 | -14,100 |
| 289 | 81.308D | One Sansome | 603,000 | 603,000 | 7,000 | 7,000 |
| 311 | 82.120D | S.F. Federal | 246,800 | 218,850 | 1,600 | -9,440 |
| 351 | DR79.24 | Mardikian/1170 Market | 40,000 | 40,000 | | |
| * 641 | 82.200CV | 1735 Franklin (C) | 8,600 | 8,600 | | |
| * 642 | 83.218V | 1699 Van Ness | 20,000 | 20,000 | | |
| * 642 | 82.224VEC | 1750 California | 82,530 | 82,530 | | |
| * 672 | SFRA | Wealth Investments | 104,500 | 104,500 | | |
| * 690 | SFRA | Post/Van Ness | 60,000 | 60,000 | 20,000 | 20,000 |
| * 716 | 81.581ED | Polk/O'Farrell (M) | 61,600 | 61,600 | 22,400 | 22,400 |
| * 743 | SFRA | Van Ness/Turk (Vanguard) | 85,000 | 85,000 | | |
| * 767 | STATE | State Office Building | 293,300 | 293,300 | | |
| * 818 | 83.94EV | 583-591 Hayes (C) | 4,900 | 4,900 | | |
| 834 | 82.603E | 25 Van Ness (C) | 101,800 | 42,800 | 36,400 | 36,400 |
| * 3504 | 82.137V | 44 Gough | 30,000 | 30,000 | | |
| * 3512 | 82.14 | Van Ness Plaza | 170,000 | 170,000 | 6,000 | 6,000 |
| 3704 | 83.404 | 901 Market (C) | 145,500 | 126,000 | 80,000 | 80,000 |
| 3707 | 81.492ED | 90 New Montgomery | 124,300 | 124,300 | 3,350 | 3,350 |
| 3707 | 81.245DA | New Montgomery Pl. | 227,500 | 209,700 | 2,200 | -3,900 |
| 3708 | 81.493ED | 71 Stevenson | 324,600 | 324,600 | 6,200 | 6,200 |
| 3709 | 81.113ED | Central Plaza | 353,100 | 136,300 | 17,400 | 17,400 |

Projects Under Construction (Continued)

| | | | | | |
|---|---|---|---|---|---|
| 3715 | 82.16EC | 121 Steuart | 33,200 | 33,200 | | |
| 3715 | | 141 Steuart | 80,000 | 80,000 | | |
| 3715 | SFRA | Rincon Pt. Site A | 79,000 | 79,000 | 11,000 | 11,000 |
| 3717 | 81.183E | 123 Mission | 342,800 | 342,800 | | |
| 3717 | 82.82D | 135 Main | 260,000 | 260,000 | 4,000 | 4,000 |
| 3717 | EE79.236 | 101 Mission | 219,350 | 219,350 | | |
| 3717 | EE80.349 | Spear/Main (160 Spear) | 279,000 | 279,000 | 7,600 | 7,600 |
| 3722 | 81.417ED | 144 Second at Minna | 30,000 | 30,000 | | |
| 3724 | 81.102E | Holland Ct. (C) | 27,850 | 27,850 | | |
| 3729 | 82.86D | 774 Tehama | 5,800 | 5,800 | | |
| * 3733 | 82.29E | 832 Folsom | 50,000 | 50,000 | | |
| 3738 | DR80.5 | 315 Howard | 294,000 | 294,000 | 3,200 | 3,200 |
| 3741 | 82.203C | 201 Spear | 229,000 | 229,000 | 5,200 | 5,200 |
| * 3749 | EE81.18 | Marathon - 2nd/Folsom | 686,700 | 686,700 | 35,300 | 35,300 |
| * 3764 | 82.591E | Second St. Sq. (C) | 333,000 | 263,000 | 25,000 | 25,000 |
| * 3775 | 81.147V | 338-340 Brannan (C) | 36,000 | 36,000 | | |
| * 3787 | 81.306 | 252 Townsend at Lusk | 61,000 | 61,000 | | |
| * 3794 | 83.545V | 139 Townsend | 51,200 | 50,000 | | |
| * 3794 | 81.569EV | 123 Townsend | 104,000 | 49,500 | | |
| * 3923 | 81.491EVF | 1550 Bryant | 80,600 | 49,600 | | |
| | | | ========= | ========= | ======= | ======= |
| | | TOTAL UNDER CONSTRUCTION | 10,260,380 | 9,105,580 | 495,650 | 411,010 |
| | | GRAND TOTAL ALL PROJECTS | 22,478,870 | 20,403,950 | 1,908,970 | 1,388,340 |

(C) - Conversion (generally industrial and/or warehouse to office)
(M) - Mixed Use (office/residential/commercial)

This list was developed solely for the process of assessing the environmental impacts of proposed new office projects in downtown San Francisco. The list includes all projects for which an application has been received and which are not part of the baseline. The baseline is current to 1984. Because no later baseline has been established, this list may identify as "under construction" projects which have been completed and substantially occupied since March 1984.

4359B

SAN FRANCISCANS FOR REASONABLE GROWTH
870 Market Street, Room 1119, San Francisco, CA 94102
415-392-6760

April 23, 1986

Office of the Dean
Hastings Law School
198 McAllister Street
San Francisco, Ca. 94102

att: Tricia Dolter

San Franciscans for Reasonable Growth submits additional comments on the Hastings EIR (State Clearinghouse #85021912). These additional comments concern the lack of a cumulative analysis that includes the impacts from the Mission Bay project. In the Comments we reference the four Court of Appeal Supplemental Environmental Impact Reports. These four SEIRs are: Washington/Montgomery EE#81.104, Spear/Main EE#80.349, One Sansome EE#78.334, and 101 Mission EE#79.236. Thank you.

Sincerely,

Georgia Brittan
San Franciscans for Reasonable Growth

## THE MISSION BAY PROJECT MUST BE INCLUDED IN LISTS OF PROBABLE FUTURE PROJECTS.

The Department of City Planning continues to violate its CEQA obligation to provide a reasonable list of probable projects by omitting the major single commercial project proposed for San Francisco -- Southern Pacific/Santa Fe's Mission Bay project. That project will be located immediately south of the Downtown core district on approximately 210 acres of land owned by Southern Pacific/Santa Fe. The Hastings EIR should also take the Mission Bay project into consideration.

SFRG challenges the omission of the Mission Bay Project from the list of projects in this DEIR and in the Downtown Plan.

It is not "too speculative" for the Department and the Mayor to be involved in executing planning agreements for that property.

On October 16, 1984, substantially before this DEIR will be certified as adequate, accurate and objective, Mayor Dianne Feinstein and James O'Gara, Vice President of Southern Pacific Land Co., entered into an agreement whereby Mayor Feinstein announced her support of Southern Pacific's proposal to construct 4,124,800 square feet of new office space, up to 2,600,955 square feet of "research and development" space and up to 201,000 square feet of retail space.

When the SEIRs in the Court of Appeal decision were before the San Francisco Planning Commission on December 6, Commissioner Bierman questioned the Department's position that

Mission Bay was too speculative. (TR 12/6/84 12:4) The Department's response was totally misleading:

> "...we have not yet received any communication about any precise project from Southern Pacific....The Mayor's discussions occurred last July. So, they still, as far as I know and as far as we know, are continuing to discuss what is an appropriate project down there, what is in their Master Plan."
> (TR 12/6/84 12:23)

This response is outrageous. The Mayor had signed an agreement two months earlier setting out the parameters of the Mission Bay project. Given the role of the Planning Director in those negotiations and given the fact that the Mayor's letter of agreement was a public document, the Department was not only aware of that letter, but also knew that the response given to Bierman was incorrect in that the Mayor had already set out specific square feet of new development which would be considered by the City for approval.

In January 1985 the San Francisco Chronicle reported that the Mission Bay project "is moving ahead again on a fresh basis of 'collaborative' planning between the railroad and the city." Planning Director Macris, according to that article, has a key role in that planning effort, which will be financed by the railroad, but controlled by the City. That story reiterates the terms agreed upon by the Mayor -- "6.7 million feet of offices...equivalent to 13 Transamerica pyramids" -- as the terms on which the project is being planned. According to that same article the planning process is due to be completed in 18 months. That means that project approval could occur before the end of 1986, and at least part of the construction could start soon thereafter.

Given the time frame for construction of new office space (as discussed in the Downtown Plan EIR) it is apparent that at least a portion of the Mission Bay project is a reasonably foreseeable project within the framework of CEQA and that its impacts on transit, transportation, air quality and housing, should have been included in the cumulative impact analysis.

The other four Supplemental EIRs note that the Mission Bay project is tied to the amount of development in the downtown area analyzed in the SEIRs:

> "Less development in the C-3 District would support the potential for more development in the other areas of San Francisco including Mission Bay. The policies of the Downtown Plan and the resultant high rents for C-3 District space would increase the demand elsewhere for lower rent space of the type that could be provided in Mission Bay. In other words, potentials for development in Mission Bay could be evidenced sooner with the Downtown Plan than with continuation of current policies."
> [LM SEIR p.131, VP SEIR p.129, CS SEIR p.128, CC SEIR p.133])

The City's continuing failure to include Mission Bay in its analysis of cumulative development violates the law. As has been noted in the State's California EIR Monitor, in its discussion of San Franciscans for Reasonable Growth v. City and County of San Francisco (1984) 151 Cal.App.3d 61, 198 Cal.Rptr. 634 in its February 15, 1985 issue,

> "The holding in this case did not address the question of whether a lead agency must analyze the effects of publicly announced projects for which permit applications have not yet been filed. Although the courts may ultimately

> determine such projects are not 'reasonably foreseeable,' it may be advisable at this time to discuss such related projects in terms of cumulative impacts if the lead agency has been working closely with the prospective applicant, possesses special knowledge concerning the nature of the project, and understands that an application is forthcoming. Certainly the lead agency would have access to such information and could easily include the information in its analysis of cumulative impacts. The effort required to include such information would certainly be less than or equal to that of discovering projects in other jurisdictions."
> (California EIR Monitor, Vol.12, No.1, pp.6,7)

Given the magnitude of the proposed Mission Bay project, and given the critical nature of the environmental impacts identified in the SEIRs from the Court of Appeal decision and the Downtown Plan EIR on transportation alone, the omission of any analysis of Mission Bay is inexcusable. The Final EIR must consider Mission Bay.

The following documents are in the Department of City Planning Files and should be acquired from the Department for inclusion in the Final EIR for the Hastings project:

Letter to Board of Supervisors Requesting release of remaining $550,000 for study from Dean Macris for Mission Bay Project - August, 1985.

Mission Bay Study Work Program -- Program EIR, Central Waterfront Plan and Related Master Plan Amendments, Planning Code Amendments and Development Agreement. Draft July 19, 1985 and Final August, 1985.

Letter of April 8 1985 from Dean Macris, Planning Director to Jim Furth of the Mission Bay Clearinghouse.

Letter of March 27, 1985 from James Augustino, Project Director to Dean Macris, Planning Director.

City Planning Commission Resolution No. 10254.

Letter of October 16, 1984 from Mayor Dianne Feinstein to James O'Gara, V.P. Southern Pacific Land Co. with attachment showing block by block land use map.

January 1985 article from the San Francisco Chronicle.

Board of Supervisors Resolution No.345-85 approving use of funds for Mission Bay study from Santa Fe signed by Mayor Feinstein on 4/25/85.

September 11, 1985 article announcing Mission Bay Study will be completed by the end of 1985.

p.21 of I-280 Concept Program City Staff Recommendation Full Report, June 1985 which suggests that elements of this project in the Mission Bay area be paid for by Mission Bay project sponsors, Santa Fe Southern Pacific Corporation.

IF YOU HAVE DIFFICULTY
GETTING THESE FROM THE
DEPARTMENT I WILL PROVIDE
THEM FOR YOU. PLS. CALL AT
PHONE NUMBER ON LETTERHEAD.

SAN FRANCISCANS FOR REASONABLE GROWTH
870 Market Street, Room 1119, San Francisco, CA 94102
415-392-6760

RECEIVED
APR 28 1986
HASTINGS COLLEGE of the LAW

April 24, 1986

Ms. Tricia Dolter
Hastings School of Law
198 McAllister Street
San Francisco, Ca. 94102

Dear Ms. Dolter:

Attached are two pages (the 15th and 17th) that make corrections to a typographical error in the material submitted to you as our comments on the Hastings EIR. The correct numbers appear in the chart as referenced. If you catch the discrepancy please be assured that the numbers on the chart are correct and the numbers in the original text were typos. Thank you.

Sincerely,

Georgia Brittan

Georgia Brittan
San Franciscans for Reasonable Growth

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92,000 additional C-3 workers and 92,000 additional non-C-3 workers (a total of 184,000 additional San Francisco workers.)

### C. THE TOTAL INCREASE IN PEAK HOUR AND PEAK PERIOD TRANSIT RIDERSHIP FORECAST BY THE DOWNTOWN PLAN EIR IS UNREASONABLY SMALL GIVEN THE NUMBER OF ADDITIONAL SAN FRANCISCO WORKERS FROM 1984 TO 2000.

SFRG will demonstrate this fact using two entirely different perspectives.

The first perspective compares the information in Tables IV.E.1 and IV.E.2 after assuming that the data bases are adjusted to be identical (i.e. there is no "subtracting two oranges from one apple.").

The second perspective does not use Table IV.E.1 or PTE numbers at all, but looks only at the number of C-3 workers and the percentage that commute on transit during the P.M. Peak Period.

### FIRST PERSPECTIVE

(1) DTP EIR Table IV.E.1 and 201 Spear Street SEIR Table 2 contain identical information and show P.M. Peak Hour and Peak Period C-3 transit demand in terms of Person-Trip-Ends (PTE), for C-3 District workers and C-3 District non-workers. These tables show PTE both to and from the C-3 District. However, the tables can be adjusted to show the number of outbound PTE as indicated in SP-12. As has been demonstrated, 100% of the worker PTE and 95% of the overall (worker and non-worker) PTE demand during the P.M. Peak Periods is outbound. SP-12 shows there are 28,890 additional outbound PTE on transit from the C-3 district alone during

of outbound riders -- 46,900 -- is approximately equal to what should be expected from the C-3 District alone: 47,370.

The Department is quick to point out an error in the above comparison, because C-3 transit demand is determined at the C-3 boundary and the total transit demand is determined at the regional screenlines. SFRG does not believe this makes a significant difference. But to be beyond reproach, SP-14 tabulates these same figures from Table IV.E.1 and IV.E.2 using only outbound riders from each table, but includes only those transit systems where the C-3 boundary and the transit screenline are identical for all practical purposes. These transit systems are BART, AC Transit, Golden Gate and Tiburon Ferries, and CalTrain. This table shows that there are 27,260 additional 1984 to 2000 C-3 District Outbound P.M. Peak Period transit PTE on these systems, and 27,100 additional 1984 to 2000 total C-3 and non-C-3 Outbound P.M. Peak Period transit riders. Again, this table demonstrates that the C-3 district transit demand is equal to what is reported as the total demand from the entire city.

The same type of analysis can be performed transit system by transit system. For example, take BART.

a. The Regional screenline for BART is the same as the C-3 boundary.

b. Outbound P.M. Peak Period PTE from the C-3 District alone is 21,755 additional riders from 1984 to 2000.

c. The DTP EIR states that total BART ridership from all areas and sources will increase by 21,600 riders from 1984 to 2000.

**Responses to Comments from San Franciscans for Reasonable Growth**

8-1 The City and County of San Francisco has made a good faith attempt to document cumulative impacts. Experts may disagree with the Downtown Plan EIR, but CEQA Guidelines, Section 15151 state that:

> "An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." [California Administrative Code, Title 14, Section 15151.]

The City and County of San Francisco has certified the Downtown Plan EIR which is sufficient for Hastings to use it as a reference.

8-2 Please refer to responses 8-1 and 8-23 for a discussion of cumulative effects as evaluated by the Downtown Plan EIR. The proposed project will not significantly increase direct, indirect or cumulative employment in San Francisco. There are also sources which claim that the Downtown Plan EIR overestimated downtown cumulative employment. In view of disagreement of experts, Hastings has selected the most official projections published by a governmental body. Please refer to responses 6-1 and 6-2, also.

8-3 These comments rest upon the erroneous assertion that there will be more workers (hence more trips) than the Downtown Plan EIR projects. Hastings has used the official projections in the Downtown Plan EIR.

8-4 The sentence in question is hereby deleted from the Final EIR.

8-5 As indicated on page 54 of the Draft EIR, the transportation demand analysis was prepared using "worst-case" assumptions. Because a State building generally houses 1 employee per every 150 net square feet of office space rather than the downtown San Francisco average of 1 employee per 275 gross square feet of space, a higher trip generation rate was used in the analysis. As indicated in the analysis below, the worst-case assumption results in 1,861 more trips than would be projected for other downtown office buildings. Such a difference represents an increase of 64 percent. In addition, it should be noted that the trip generation factors used in transportation demand analysis represent a worse-case scenario because the factors are based on high density office use. The building will have a lower density than indicated in the Draft EIR since it is estimated that, upon initial occupancy, 30-50 percent of the building will be in educational use that consists of conference and/or seminar rooms with some administrative office space. As a result, the trip generation factors are overstated. Making worst-case assumptions is consistent with standard environmental impact reporting techniques intended to ensure impacts are not understated.

| | Trips per sq. ft. | Project Size | Total Trips |
|---|---|---|---|
| SF EIR guidelines | 18.4 trips (per 1,000 gross square feet) | 160.5 gross square feet | 2,905 |
| Golden Gate EIR | 33.1 trips (per 1,000 net square feet) | 144.0 net square feet | 4,766 |
| | | Difference | 1,861 |

8-6 Non-work trips are considered to be all trips to and from the building other than the morning and evening commute trips by the people employed in the building. Such trips can include non-commute trips to and from the building of people conducting business in the building as well as noontime lunch or shopping trips made in and out of the building by those working in the building.

8-7 Regional screenlines are imaginary lines that divide a study area into parts and along which traffic or passenger counts can be conducted. See pages IV.E.6 and IV.E.11 in the Downtown Plan EIR for a diagram of regional screenlines.

8-8 The outbound regional auto demand is derived through use of transportation forecasting used in the Downtown Plan EIR and described in Appendix J of that document. Appendix C of the Draft EIR briefly summarizes the transportation forecasting methods.

8-9 The Van Ness Plan was released in a preliminary form in 1983. According to the Department of City Planning staff Diane Oshima (May 27, 1986), the plan has undergone some considerable changes. The revised Plan and its Draft EIR have yet to be released. It is therefore impossible to speculate on how that Plan will affect traffic at the project site. According to the planning staff, the traffic from future land uses in the Van Ness Plan area would not cause greater transportation impacts at the regional screenlines than those projected in the Downtown Plan EIR.

8-10 The parking survey referenced in footnote 10, pages 59 and 67, was conducted by Jefferson Associates on November 27-29, 1984, between 10:00 a.m. and 3:00 p.m. for an area within a one-quarter mile radius of the project site. The survey was taken during what is considered to be the peak demand for parking spaces near the proposed project.

8-11 Comment acknowledged. This table has been revised in response to other comments (see Table 8 in the Final EIR, Responses to Comments).

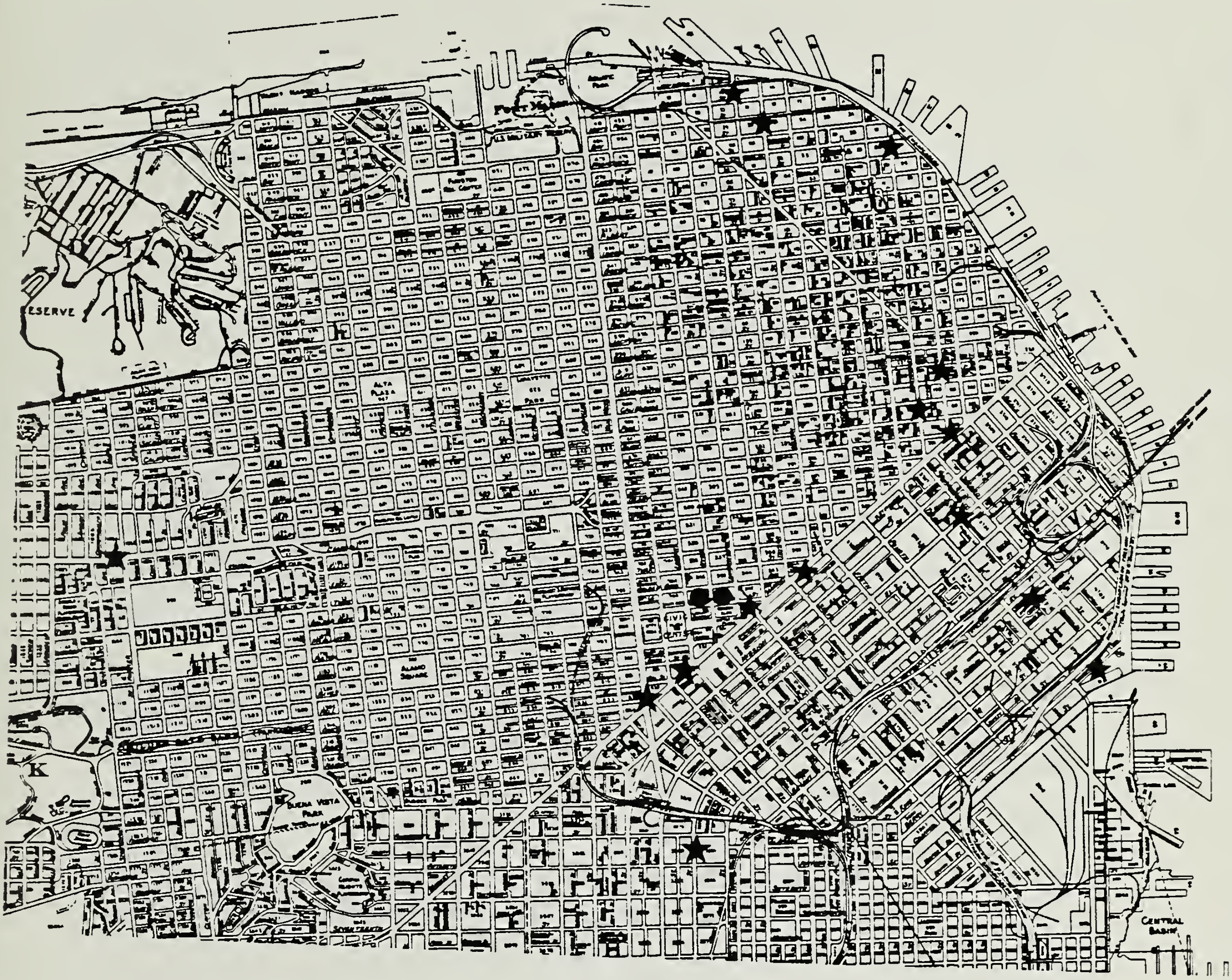
8-12 The State is interested in interim leasing of space in the proposed Golden Gate Building, but due to economic constraints the State cannot make a final decision to lease space in this building until after completion of the Final EIR and the project is approved. The State

## TABLE 4: STATE AGENCIES POTENTIALLY COMPATIBLE FOR CONSOLIDATION INTO THE PROPOSED GOLDEN GATE BUILDING

| Agency | Address | Number of Employees | Square Feet per Employee |
|---|---|---|---|
| Rehabilitation | 2720 Taylor | 35 | 254 |
| General Services | 1 Hawthorne Center | 18 | 335 |
| Justice | 10 UN Plaza | 28 | 233 |
| Justice | 2720 Taylor | 64 | 250 |
| Mental Health | 2340 Irving | 7 | 222 |
| Consumer Affairs | 30 Van Ness | 8 | 400 |
| Fair Employment & Housing | 30 Van Ness | 68 | 97 |
| Health Services | 30 Van Ness | 12 | 212 |
| Industrial Relations | 30 Van Ness | 5 | 326 |
| Insurance | 30 Van Ness | 2 | 495 |
| Bay Conservation | 30 Van Ness | 29 | 304 |
| Education | 1700 Montgomery | 4 | 239 |
| Consumer Affairs | 301 Junipero Serra | 12 | 206 |
| Employment Development | 3425 Army Street | 3 | 253 |
| Transportation | 595 Market | 61 | 203 |
| Health Services | 939 Market | 149 | 182 |
| Insurance | 100 Van Ness | 115 | 220 |
| Alcoholic Beverage Control | 185 Berry Street | 21 | 204 |
| Real Estate | 185 Berry Street | 62 | 206 |
| Mental Health | 3330 Geary Boulevard | 30 | 193 |
| Food and Agriculture | 2095 Jerrold | 6 | 170 |
| Savings and Loan | 350 Sansome | 62 | 161 |
| Banking | 235 Montgomery | 60 | 191 |
| Rehabilitation | 1855 Folsom | 39 | 214 |
| Housing Finance Agency | 2351 Powell | 29 | 161 |
| Corporations | 1390 Market | 72 | 182 |
| Social Services | 1390 Market | 52 | 150 |
| State Public Defenders | 1390 Market | 43 | 242 |
| Coastal Commission | 631 Howard | 135 | 128 |

# LOCATIONS OF STATE OFFICES IN SAN FRANCISCO

Figure 3



Location of State offices potentially compatible for consolidation. ★

Hastings College of the Law Property including project site ●

(The State offices at 2340 Irving, 301 Junipero Serra, 3425 Army Street, and 2095 Jerrold Avenue are outside the boundaries of this map.)

agencies that potentially would be compatible for consolidation into the proposed building are shown in Table 4 in the Responses to Comments. Moreover, the long-term project goals contemplate having available sufficient space for Hastings' own use.

8-13 A map is included in the Responses to Comments.

8-14 The new State building on Van Ness Avenue is scheduled to house the Public Utilities Commission (PUC) and will not affect the list of State agencies that potentially would move into the proposed Golden Gate Building. The number of PUC workers is 1,081.

8-15 The new State building will not be able to accommodate virtually any employees other than those at the PUC.

8-16 For the period ending June 1986, there were 5,617 State employees in the City of San Francisco.

8-17 There are no other plans for expansion or consolidation of State employees at this time.

8-18 Please refer to Table 4 of this Final EIR, Responses to Comments, for a list of the State agencies that potentially would be compatible for consolidation into the proposed building. A decision as to which agencies would potentially be relocated would require an examination and determination of space requirements of the agency. Some agencies on this list are presently in overcrowded offices; other agencies are not. The number of workers per square feet ranges from 1 employee per 97 net square feet of office space to 1 employee per 335 net square feet of office space.

8-19 Employees of the various State agencies that potentially would relocate to the Golden Gate Building have a residence pattern that is similar to the pattern of Management/Technical office workers in San Francisco (see Table 5).

TABLE 5: EMPLOYEE RESIDENCE PATTERNS FOR THE C-3 DISTRICT, MANAGEMENT/TECHNICAL OFFICE EMPLOYMENT, 1984 AND 1990

| Location | Percent |
|---|---|
| San Francisco | 47.9 |
| East Bay | 32.5 |
| South Bay | 11.0 |
| North Bay | 8.5 |
| Other | 0.1 |
| | 100.0 |

Source: Downtown Plan EIR Appendices, Table I.9. page I.37.

Employees of the State agencies show the following residence pattern: San Francisco - 45.3 percent; East Bay - 31.1 percent; North Bay - 9.0 percent. (It has not been possible to determine what percent of State agencies reside in the South Bay. Since the general pattern closely follows the pattern shown in Table 5, it is assumed that the residence pattern of State employees in the South Bay and other areas would follow that shown in Table 5, also.) The residence pattern of State employees is based on a December 1985 survey by the California Department of General Services.

8-20 Currently, the commute profile of State employees is as follows: Drive Alone - 33.1 percent; Carpool - 18.4 percent; Bus - 39 percent; Walk - 5.9 percent; Bicycle - 0.7 percent; and, Other - 3.0 percent. (The source of this data is a December 1985 survey by the California Department of General Services.)

8-21 At this time, it is not known what agencies would move into the Golden Gate Building. The passages referred to in this comment were intended to convey the information that in cases where the governmental offices are currently overcrowded, the relocation of workers would relieve the overcrowded conditions and would not result in vacant office space.

8-22 Interim leasing of office space in the Golden Gate Building would allow the State to meet its goal of consolidating employees in a single building. Past experience has proven that it is more economical to house many State employees in one building than to have employees dispersed in many small offices. As stated in the San Francisco State Building Final EIR, April 1980, and recommended in the San Francisco Facilities Plan, consolidation is recommended to increase economic, energy, and space efficiencies.

8-23 Hastings recognizes that the Mission Bay project is both contemplated and reasonably foreseeable for the area south of the section of the downtown known as South of Market. Hastings believes that the added impacts from Mission Bay will not influence the project area. In fact, many large scale projects, such as a new baseball stadium and the home-porting of the U.S.S. Missouri, are contemplated by the City and County of San Francisco. Some of these projects would have an impact on the project area, and others will not. Those that will have such an impact have been included in the City and County of San Francisco's Downtown Plan EIR. The Downtown Plan EIR included a growth forecast for downtown San Francisco. That is, even though all projects may not be built, the forecast was predicated on a "worst case" situation, or the most growth that would likely happen given foreseeable market conditions. That is the appropriate scenario to use for cumulative effects.

**City and County of San Francisco**
**Department of City Planning**

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April 22, 1986

Office of the Dean
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

[illegible]
APR 23 1986
HASTINGS COLLEGE OF THE LAW

Re: Golden Gate Building Draft EIR

Dear Dean Prunty:

We have received a copy of the Draft EIR on the proposed Golden Gate Building, and would like to offer these comments.

Project Characteristics, page 14. The project characteristics section of the
Project Description chapter should include total number of square feet in the 9-1
proposed project, as well as the area which would be used in the Floor Area 9-2
Ratio calculations under the San Francisco City Planning Code. While this
number can be derived by adding the totals in Table 1, this may not be obvious
to all readers. The project is described as containing "educational and
governmental space, including offices." What non-office uses are
contemplated? This is of some importance to the City and County of San 9-3
Francisco. It will be necessary for us to identify the net additional office
square footage included in the project because it will count against the
three-year cap on office approvals currently in effect, regardless of
Hastings' status as a State Agency.

How much of the building would be occupied by Hastings for educational and
office functions? Would occupancy of the rest of the space be limited to 9-4
governmental agencies? Have you entered into discussions with other agencies
or commercial tenants for the use of space?

Where would the proposed open space extension to McAllister Street be located 9-5
in relation to the existing library loading space? I assume that the loading
space will remain and that the open space would be located above it, level
with the existing sculpture garden. Figure 5 on page 19 should be clarified 9-6
to show that a loading ramp would enter the site from McAllister Street, and
that the plaza would not be adjacent to the McAllister Street sidewalk.
Figure 5 shows new steps leading from McAllister Street to the Plaza and a
ramp leading from Golden Gate Avenue to the Plaza. Are these steps and ramp 9-7
proposed as part of the project? Would they be open at all times or would
they be locked at times? Is the open space plaza intended to serve Hastings
students and staff, residents of the buildings on the block, or the community
at large?

Project Schedules and Approvals, page 16. This section should identify the
approval process in more detail. What body within the College will make the
final decision to carry out the project? Will there be a public hearing on 9-8
the merits of the proposal? If so, how will the public be notified of the
hearing? Is that decision appealable?

Land use and zoning setting, page 23. Current educational users are
identified as occupying 10,400 square feet of space. Is this office space or
classroom space or a combination? Does this include the office space in 355 9-9
Golden Gate Avenue shown on Table 3? To make this clear, Table 3 should 9-10
include the square footages of existing uses on the site. This information is
necessary to determine the net new office space proposed on the site. The
number of vacant residential units should also be identified. According to 9-11
Division of Apartment and Hotel Inspection (DAHI) records, Lot 12 contained 56
hotel units and one apartment, and Lot 14 contained 23 hotel units and five
apartments. Chapter 41 of the San Francisco Administrative Code, which DAHI
believes may apply, includes reporting and replacement requirements when units
determined to be eligible residential units are demolished.

page 24. The terms "North of Market" and "Tenderloin" are synonymous. The 9-12
first sentence in the third paragraph should be changed to read "The
predominant land use in the North of Market area is residential, often with 9-13
ground floor retail or commercial uses."

page 25. The second paragraph describes the zoning of the surrounding area.
This discussion would be clearer with a map, and should also contain 9-14
information about the proposed Van Ness Avenue Plan, covering an area two 9-15
blocks to the west.

The third paragraph discusses forecasts of office growth under the Downtown
Plan and the Alternative to the Plan contained in the Downtown Plan EIR.
Because the Downtown Plan has been enacted and the Alternatives rejected,
information of growth that would have occured under the Alternatives is no 9-16
longer needed.

Land use and zoning impacts, page 25. The last full sentence on page 25 9-17
describes the San Francisco City Planning Code provisions regarding parking.
It is somewhat incomplete. I would suggest replacing that sentence with the
following text:

> Seven percent of the gross floors area of the structure, or 15,900 square feet of parking would be permitted as accessory parking under the San Francisco City Planning Code, and would be excluded from FAR calculations. The remaining 51,100 square feet would be considered a "Major parking garage" under section 158 and would require Conditional Use authorization if the project were subject to City approval.

Urban Design and Visual Quality Setting, page 28. The visual quality of the existing setting could be better described with photographs, which would also serve to orient the reader to the site. Photographs would give important information about the "C"-rated building on the site. With photographs, decision-makers and the public could come to independent conclusions about the setting. It is not appropriate for the EIR to conclude that "There is little architectural continuity among the buildings." 9-18 9-19

Urban Design and Visual Quality Impacts, page 29. Similarly, photomontages of the proposed building in its context would allow readers to assess whether the project "will blend with nearby structures with the exception of the Federal Building." Currently, there is no support for that statement in the EIR. The replacement of the only remaining small scale buildings on the block with one of a much larger scale could result in a dramatic visual change. In fact, the discussion on p.30 suggests the "contrast in scale" that could ocur. While this statement is relatively mild, it appears somewhat more accurate than the suggestion that the projct "will blend" with nearby building. 9-20 9-21

Wind and Shadow Impacts, page 33. A map showing the 15 locations tested for wind, current wind levels at those locations, and wind levels with the project should be included in the FEIR. This would allow readers to assess some of the qualitative statements about wind impacts made in the text. 9-22

Page 34. The DEIR states that wind sheltering elements would reduce winds to below the comfort criterion for seating areas. Is this the opinion of the consulting meteorologist? 9-23

Page 35. Although the Federal Building Plaza is not protected by Proposition K, it is a major open space in the area, and the shadow diagrams demonstrate that it would be shaded fall, winter and spring mornings. The FEIR should describe this shading impact in more detail. During which days of the year will the plaza be shaded? How long will the shade last on the morning of December 21? How are the shaded portions of the plaza used? Are seating areas affected, or only sidewalks? 9-24

Page 37. The first paragraph would be clearer to non-San Francisco readers if it indicated that the Recreation and Park Commission was San Francisco's. The DEIR notes that the project would not shade residential structures to the south, but clearly the project would shade the residential structures to the north. This impact on buildings which would be shaded should be described in the same detail as the impact on building which would not be shaded. 9-25 9-26

Even though the project would not cast newly created shade on the proposed open space plaza, the impacts of the proposed building, as well as the impacts of existing buildings, on the new open space should be described in the FEIR. While it is somewhat difficult to read the shadow diagrams because the open 9-27 space designations are similar to the shadow designations, it appears that the open space to the south of the project would be in shade much of this time. This information may be of use to the landscape designers as well as to decision-makers. 9-28

Archaeology, pages 42-44. The summary of the archaeological investigation is very interesting. The Impacts discussion notes the recommendation that additional archival research be performed to aid in positioning test trenches. The Mitigation section, however, fails to make any mention of trenching to study possible artifacts prior to construction. In an area of high potential for archaeological remains, San Francisco will often recommend that the archaeologist should not only instruct the construction crew but also monitor excavation activities. Even with instruction, few members of construction crews have the expertise to recognize the significance of historical archaeological materials. It is worth asking the archaeologists for this project if they would recommend construction monitoring. 9-29

Historical Resources Setting, page 44. As noted above, a photograph of 361-365 Golden Gate Avenue building, which is rated "C" (of contextual importance) should be included in the FEIR. 9-30

Transportation Setting, page 48. The description of off-street parking facilities should include the distance of the described facilities from the project site, and some discussion of current vacancy. From the impacts discussion on page 59, it appears that this work has already been done. 9-31 The source of the statement that the occupany of on-street parking spaces is 83% should also be given. 9-32

The third paragraph on page 48 mixes 1981 and 1984 parking information contained in the Downtown Plan EIR. This could be corrected by adding "in 1984" to the end of the first sentence and changing the "10%" in the fourth sentence to "6%." 9-33

Page 49. The transit setting section uses route information, while the impacts section uses forecasts of future transit conditions by corridor. These discussions should be parallel. The Department of City Planning has begun conducting all analyses of transit conditions on a corridor basis, because future residence patterns and employment locations cannot be accurately identified at a level of detail necessary to forecast impacts on individual routes, and because commuters can often choose between a number of routes in a transit corridor based on route conditions. 9-34

9-35 Paragraphs four and five on page 49 may suggest to readers that the data on Table 4, showing route conditions, are from the Downtown Plan EIR. Table 4 does not give 1984 information, as stated in paragraph 4, but 1982-1983 information, as stated on the Table itself. This problem could be avoided by actually using Downtown Plan EIR corridor information consistently, rather than the route information presented in Table 4. It should also be noted in paragraph 5 that the Downtown Plan EIR has been certified (October 1984) and is no longer in Draft form. 9-36

Page 50. The source cited for Table 4 is incorrect. The most recent version of Guidelines for Environmental Review (Transportation Guidelines) was September 1983. The information in the table is correct. 9-37

Page 51. It should be noted that the transit levels discussed in the first paragraph are by transit corridor, rather than by route. This information is contained in the Downtown Plan EIR in Table IV.E.2, and also on your Table 9, and would appropriately referenced in place of the current Table 4. 9-38

Page 51. The source for the transit information is given as the 229 Second Street Draft EIR. This should be 299 Second. In this and other places where Draft EIRs prepared by the San Francisco Department of City Planning are cited it would be more appropriate to cite the Downtown Plan EIR, because individual project EIRs use it as a source. Although I see no errors in the cited data except those pointed out in this letter, as a general rule directly citing the ultimate source document reduces errors, gives a better sense to the reader of the origin of the information, and may reduce confusion about the consistency of the information presented in the EIR. In addition, when citing any EIR, it is best to use a Final EIR when possible. The 299 Second Street EIR was only available in Draft form on your publication date. The Fifth and Market Street EIR cited on p. A-48 was certified in summer 1984 and the draft is therefore not appropriately cited; the same is true for the 100 First Street EIR, certified in summer of 1985 and cited as a draft on p. 94. 9-39

Page 51. In the third paragraph, the document cited is the Downtown Plan EIR, rather than the Downtown Plan. 9-40

Transportation Impacts, page 54, last paragraph. Thirty-three is more than one-third greater than 18.1. 9-41

Page 55. Table 6 states that the net new square footage of "educational and governmental space, including office" is 144,000 square feet. If we assume that the existing square footage is 10,400 square feet (page 23), should the net new square footage be 150,130? 9-42

Page 57. The Downtown Plan (2000) heading is placed one column to the left of its correct position in Table 7. 9-43 The "project percent" column should make clear whether the column contains the project percent of 1984 demand or of 2000 demand. 9-44 It is quite unusual for the volume/capacity ratios in the peak period to be higher than those in the peak hour, as is shown on Table 7, Normally, the V/C ratio in the peak hour is relatively higher because the peak hour volume is, by definition, the highest hourly volume during the peak period. 9-45

Page 58. The first paragraph states that the project will not change levels
of service above the background growth expected by 2000. The year 2000 levels
of service which are discussed on page 56 include the project. The proposed
project is well within the forecasts of future office employment growth on
which the transportation analysis is based, which are described on page 88 of
your Draft EIR. The secondary heading on Table 8 should be changed to read
"Downtown Plan 2000 including project." If your transportation analysis 9-46
included adding project traffic to year 2000 projected traffic levels from the
Downtown Plan EIR, it should be recalculated.

Page 59. The first paragraph refers to mitigtion measures which, if
implemented, would improve intersection operating conditions. Does this refer 9-47
to mitigation measures which were included in the Downtown Plan EIR? If so,
this should be clarified and which ones should be noted (there are 53 measures
listed in the Downtown Plan EIR). If not, then what Mitigation Measures are
being referenced?

Parking Impacts, page 59. The type of parking proposed for the project should
be described. Will it be short-term parking or long-term parking? Will it be 9-48
primarily for building tenants, for visitors, for the public? Because
considerably more parking is proposed than would be allowed as-of-right, the
type of parking proposed is of concern.

Page 59, second paragraph. Does the 600 unused spaces take into consideration
that the "effective supply" is usually considered to be 85% of off-street 9-49
spaces and 90% of curb spaces? Also, there should be survey results and
analysis to substantiate this claim.

Transit Impacts, page 60. Were the same modal splits used which were used in 9-50
the Downtown Plan EIR? The Final EIR should include a breakdown of projected
p.m. peak hour and peak period trips from the project by transportation mode. 9-51

Page 61. On Table 9, the row titles for Muni-Southeast and Muni-Southwest are
reversed under both peak hour and peak period. The demand figures for the
Peak Period in the year 2000 are not correct. The correct numbers are on 9-52
Table IV.E.2 of the Downtown Plan EIR, and are also on page 155 of the Fifth
and Market EIR, which is cited on the Table.

Page 62. The second two paragraphs under "MUNI" appear to apply to all 9-53
transit systems, not specifically Muni.

Page 63. The second paragraph under "Pedestrian/Bikeway" should identify
which sidewalks and crosswalks were studied, and what the levels of service
are for each of them. Did the observed conditions range from "open" to 9-54
"jammed," or does this sentence define pedestrian levels of service? If this

sentence is definitional, it duplicates Table 5 on page 52 and should be deleted. Are there "jammed" conditions near the site? To keep the pedestrian analyis consistent with other analyses, a future date of 2000 should be used, rather than 1990. At what locations would future pedestrian conditions be in the "impeded" range? A table of sidewalks and crosswalks, with the changes in pedestrian levels of service should be included in the Final EIR.

Mitigation Measures, page 64. The last paragraph on the page states that construction traffic would occur "during non-commute hours whenever possible." On page 53 it is stated that "deliveries would be limited to the hours between 9:00 a.m. and 4:00 p.m." We would recommend limiting all construction traffic to the hours of 9:00 a.m. to 4:00 p.m. 9-55

Page 65. A Transportation System Management (TSM) program is proposed. We would recommend that the program be established according to the guidelines established in the "Developer's Manual for the Implementation of Transportation Broker Services and Transportation Conditions," a copy of which is enclosed. 9-56

Page 67. When were the consultant field observations performed? 9-57

Page 70. Before the Downtown Plan was adopted by the City of San Francisco, detailed information about the Alternatives to the Plan was included in San Francisco EIRs. Now that the Plan has been adopted, information about the Alternatives to the Plan are less relevent when assessing the future impacts of downtown development. For this reason, paragraph 2 is not necessary for the current analysis, and may be confusing to some readers. 9-58

Employment setting, page 88. In the last paragraph, of this page (and in the first paragraph on page 96) office vacancy rates are discussed. More recent data are available, and should be cited. 9-59

Page 90. The issue of business displacement is dismissed too easily. While it may be true, as stated in the second paragraph, that there is "additional space available within the neighborhood which could be leased by these commercial users," there is no information in the Draft EIR to substantiate this conclusion. 9-60

Page 91. There is also no information in the Draft EIR to substantiate the statement in the first paragraph that the current commercial tenants "have occupied the premises with the understanding that they have received all relocation benefits or any in-lieu of benefits which they may be entitled to . . . ." 9-61

Housing impact, page 93. There is no substantiation in the text for the assertion that the upper floors are "uninhabitable and in an unsafe condition for residential use." 9-62 Since this is clearly a subject of considerable controversy, and since it is currently in litigation, this is not an appropriate statement for the EIR. The sentence which currently reads "The proposed project involves no residential relocation" should be amended to read 9-63 "The proposed project involves no relocation of current residents."

Existing Plans and Policies, page 99. Table 15 actually shows a comparison of the proposed project with sections of the San Francisco City Planning Code. 9-64 The title of the table should reflect this.

The Recreation/Open Space entry in this table should state what the requirement for the project would be if it were subject to City approval. 9-65 It is unlikely that space which is not used by Hastings would be considered "Institutional." Based on 150,000 net new square feet of office space the requirement would be 3,000 square feet. This space would have to meet the open space guidelines for location, seating facilities, etc.

Under Sunlight Access to Public Sidewalks, it is somewhat disingenuous to state that shadow impacts on sidewalks would "vary with time of day and season." As shown on the shadow diagrams in the Draft EIR, the project would 9-66 inevitably shade sidewalks north of the site at nearly all times.

Under Wind, the Draft EIR incorrectly states that the Downtown Plan ordinance does not permit developments which "cause" ground level wind speeds above 9-67 established criteria. In fact, section 148 does not, in general, permit development if wind speeds above the criteria would occur. Developments have a responsibility to reduce existing wind speeds over the criteria, or to show that this cannot be done. According to information on page 34 of the Draft EIR, these criteria are exceeded at two locations. Under this standard the proposed building would have to be altered to reduce wind speed at these locations, or an exception under section 148 would be necessary.

A new entry should be added to Table 15 to address parking issues. Any 9-68 parking over seven percent of the gross square footage of a building in the C-3 district is considered a "Major Parking Garage" under section 158 of the City Planning Code. Conditional Use authorization is required for such a garage, using the criteria and procedures put forth in sections 157, 158 and 303. The City Planning Commission would also be concerned about the type of parking to be provided. The proposed building includes over 50,000 square 9-69 feet of such parking.

Community Controversy, page 105. The discussion of the residential units on the site, by referring to the buildings on the site as "unsafe . . . unsuited for residential use . . . . uninhabitable" appears somewhat self-serving. In the absence of an objective source for these judgements (such as the Bureau of

Building Inspection or the ruling of a trial court) these statements are not
appropriate for an EIR, unless it is expressly stated that they are the 9-70
opinion of the project sponsor. There is some evidence in the last paragraph
on page 105 that this opinion was not shared by the Superior Court of the City
and County of San Francisco.

Page 106. In the last paragraph it is stated that the provision of
residential units on the project site would be "economically prohibitive."
While this may be the position of the project sponsor, there is no evidence 9-71
presented that would support this statement. In fact, given the controversy
and legal history surrounding this issue, this appears to be an alternative
which should be analyzed in the EIR and seriously considered. 9-72

Alternatives, page 107. All of the alternatives analyzed in the Draft EIR
(except for the No Project Alternative) are larger than the project as
proposed. Section 15126(d) of the CEQA Guidelines states: "The discussion of
alternatives shall focus on alternatives capable of eliminating any
significant adverse environmental effects or reducing them to a level of
insignificance . . . ." There is no point in discussing three alternatives
with greater impacts, but no alternative with lesser impacts. Because the
impacts analysis does suggest impacts and policy issues likely to be of
concern to residents and public agencies in San Francisco, more thought needs
to be given to the alternatives chosen for analysis in the EIR. I would
suggest including, at a minimum, an alternative which does not shade the
Federal Building Plaza any time after one hour after sunrise, an alternative 9-73
with no parking above accessory amounts, an alternative with greater amounts
of ground-floor retail or community services (especially at the corner), and a 9-74
mixed-use alternative which includes some on-site residential units. You will 9-75
need to consider whether these alternatives or others that you develop warrant
circulation for public comment. 9-76

Distribution List, page 115. Please note that Bernice Hemphill and Richard
Allen have replaced Jerome Klein and C. Mackey Salazar on the City Planning 9-77
Commission. Please also note that Franklin Lew is now Superintendent of the
Bureau of Building Inspecton. There are a few other changes in city
distribution that we can communicate to your staff by phone if you would like.

Thank you for the opportunity to comment on the Draft EIR. If you have any questions please contact me or Catherine Bauman of my staff at 558-5261. We look forward to receiving a copy of the Final EIR.

Sincerely,

Barbara W. Sahm

Barbara W. Sahm
Environmental Review Officer

BWS:CVB:eh

**Responses to Comments from the San Francisco Department of City Planning**

9-1 If all building area is to be considered, the total square footage of area is 233,840 gross square feet. The area used in San Francisco Planning Code Floor Area Ratio calculations is 211,660 gross square feet.

9-2 Site area is 37,812.5 square feet. The building area that is applicable to the FAR is 211,660 square feet. The FAR is 5.6:1.

9-3 The proposed building would include retail and restaurant space on the ground floor that is compatible with the needs of the building tenants.

9-4 Although internal space utilization and allocation has not been determined at this time, Hastings estimates that upon initial occupancy 30-50 percent of the building would be educational use that consists of conference and/or seminar rooms with some administrative office space. Please refer to response 8-12, also.

9-5 The open space extension to McAllister Street would be elevated about nine feet higher than the loading dock.

9-6 Figure 5 is correct as drawn. The figure does not show a loading ramp entering the site from McAllister Street because the plaza is elevated above the sidewalk, effectively acting as a roof over the ramp. As drawn, the figure shows that the plaza would not be adjacent to the McAllister Street sidewalk; the figure shows that the plaza would be elevated.

9-7 The plaza would be open weekdays during building use hours (typically 8:00 a.m. to 6:00 p.m.). Only restrictions consistent with security or safety could or would be made.

9-8 A decision to proceed with the proposed project can only occur after the Final EIR is certified. One public hearing was held on the Draft EIR on April 4, 1986. The Hastings Board of Directors anticipates that it will consider the certification of the Final EIR and the proposed project during the summer of 1987. This Final EIR is a notice of that intent and the exact date, place and time of the Hastings Board meeting will be posted, noticed, and circulated as provided by law. Any member of the public can appeal a Hastings Board decision through the appropriate legal process.

9-9 The educational users referred to on page 23 of the Draft EIR are the occupants of the building at 333 Golden Gate Avenue - the University of California, Berkeley, Night Masters of Business Administration program and the NASA-Ames Research Center. The entire 10,400 square feet of space is devoted to educational uses, classroom space with some administrative office space. This does not include the office space in 355 Golden Gate Avenue.

9-10 Please see Table 6, below, for square footages of existing uses on-site.

TABLE 6: EXISTING LAND USES ON PROJECT SITE

| Lot No. | Street Address | Number of Stories | Existing Uses | Square Feet |
|---|---|---|---|---|
| 10, 11 | | 2 (1 below grade) | 176 parking spaces | |
| 12 | 361-365 Golden Gate | 3 | Commercial &<br>Vacant | 7,300<br>10,000 |
| 13 | 355 Golden Gate | 1 | Office | 950 |
| 14 | 343-349 Golden Gate | 3 | Retail &<br>Vacant | 9,300<br>9,300 |
| 15 | 333 Golden Gate | 2 | Educational | 10,400 |

9-11 At the time the residential units were vacated in 1978, there were 85 units.

9-12 Comment is noted.

9-13 Correction is noted.

9-14 A map showing the zoning of the surrounding area is attached.

9-15 The Van Ness Plan was released in a preliminary form in 1983. According to the Department of City Planning staff Diane Oshima (May 27, 1986), the plan has undergone some considerable changes. Since the revised Plan and its Draft EIR have yet to be released, there would be no advantage in discussing a previous version of the draft Plan.

9-16 It is acknowledged that growth that would have occurred under the Alternatives is no longer needed.

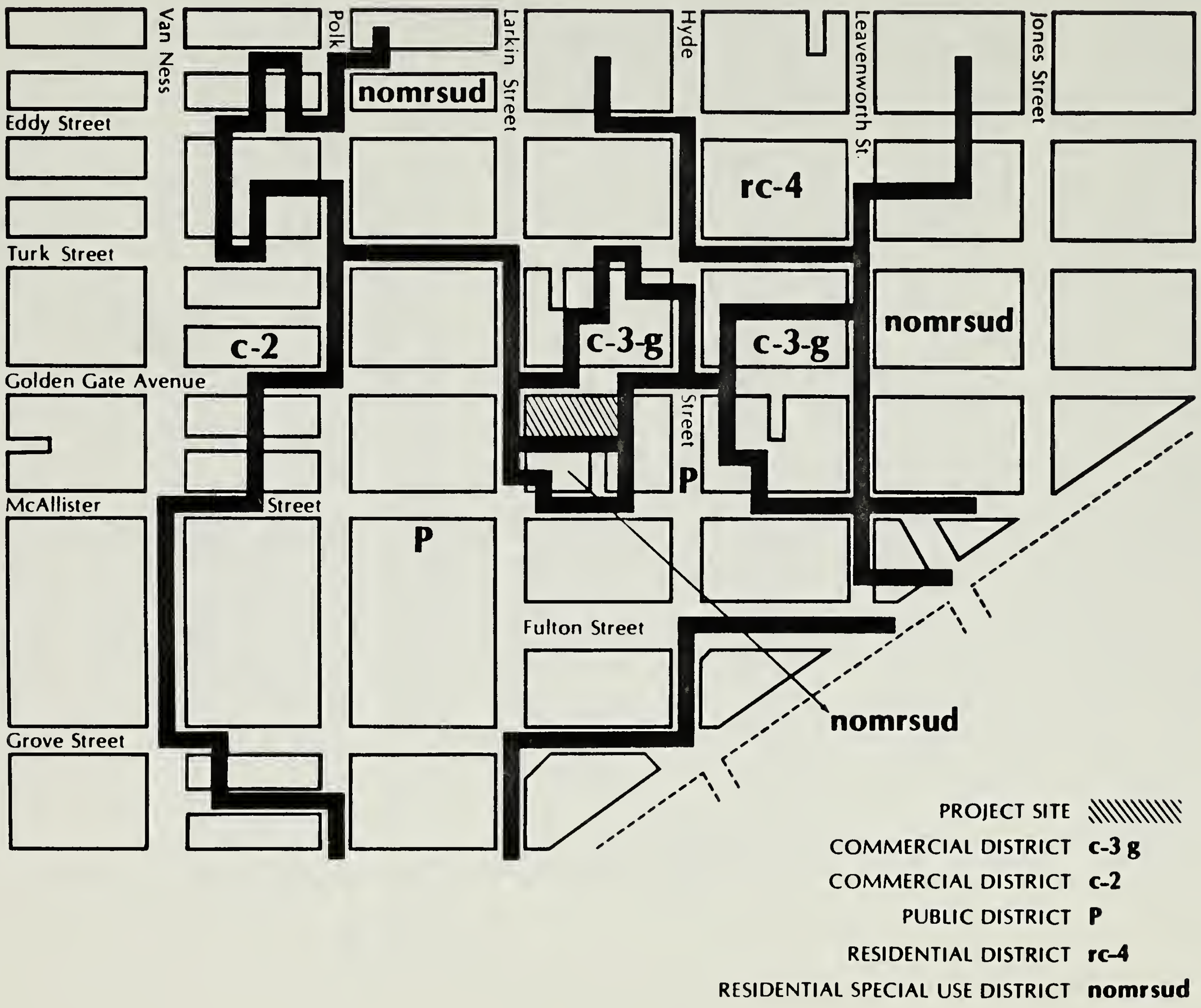
9-17 The following sentence is incorporated into the Final EIR:

Seven percent of the gross floor area of the structure, or 15,900 square feet of parking is excluded from FAR calculations and would be classified as accessory parking under the San Francisco Planning Code. The remaining 51,100 square feet would be considered a "Major Parking Garage" under the San Francisco Planning Code.

9-18 Photographs of the project site are included in the Responses to Comments.

# CITY OF SAN FRANCISCO ZONING DISTRICTS

Figure 4



9-19 The statement that there is "little architectural continuity among the building" reflects the fact that, although some buildings near the project site have similar construction dates, they have different articulation and character.

9-20 During preparation of the Draft EIR, the use of photomontages was considered as a means of providing a visual description of the project's appearance. It was determined, however, that elevation drawings from Golden Gate Avenue and from Larkin Street, when considered in conjunction with a verbal description of the existing environment, would provide a more realistic assessment of the project's appearance.

The statement that the project will blend with nearby structures reflects the fact that the proposed building would be slightly higher than the existing Law Library and would be slightly lower than the existing State building across Larkin Street. The proposed building would represent a transition from the existing State building to the Library and structures beyond the library.

9-21 Whether or not a "contrast in scale" could occur depends on the vantage point of the viewer. For example, an aerial view of the project and surrounding buildings would indicate that the footprint of the project is larger than the footprint of buildings on the north side of Golden Gate. A pedestrian view of the project from McAllister Street, for example, would reveal no contrast with surrounding buildings since the project would not be visible. The project may be noticeable from Larkin Street and will be visible from Golden Gate Avenue. The pedestrian view of Golden Gate Avenue would not contrast in scale with adjacent buildings. The only potential contrast that could occur would be in conjunction with structures opposite Golden Gate Avenue. This contrast would require the pedestrian to keep a mental view of the project while scanning across a three-lane street to the opposite side of Golden Gate. The physical separation of the project with these buildings would help obscure any potential contrast.

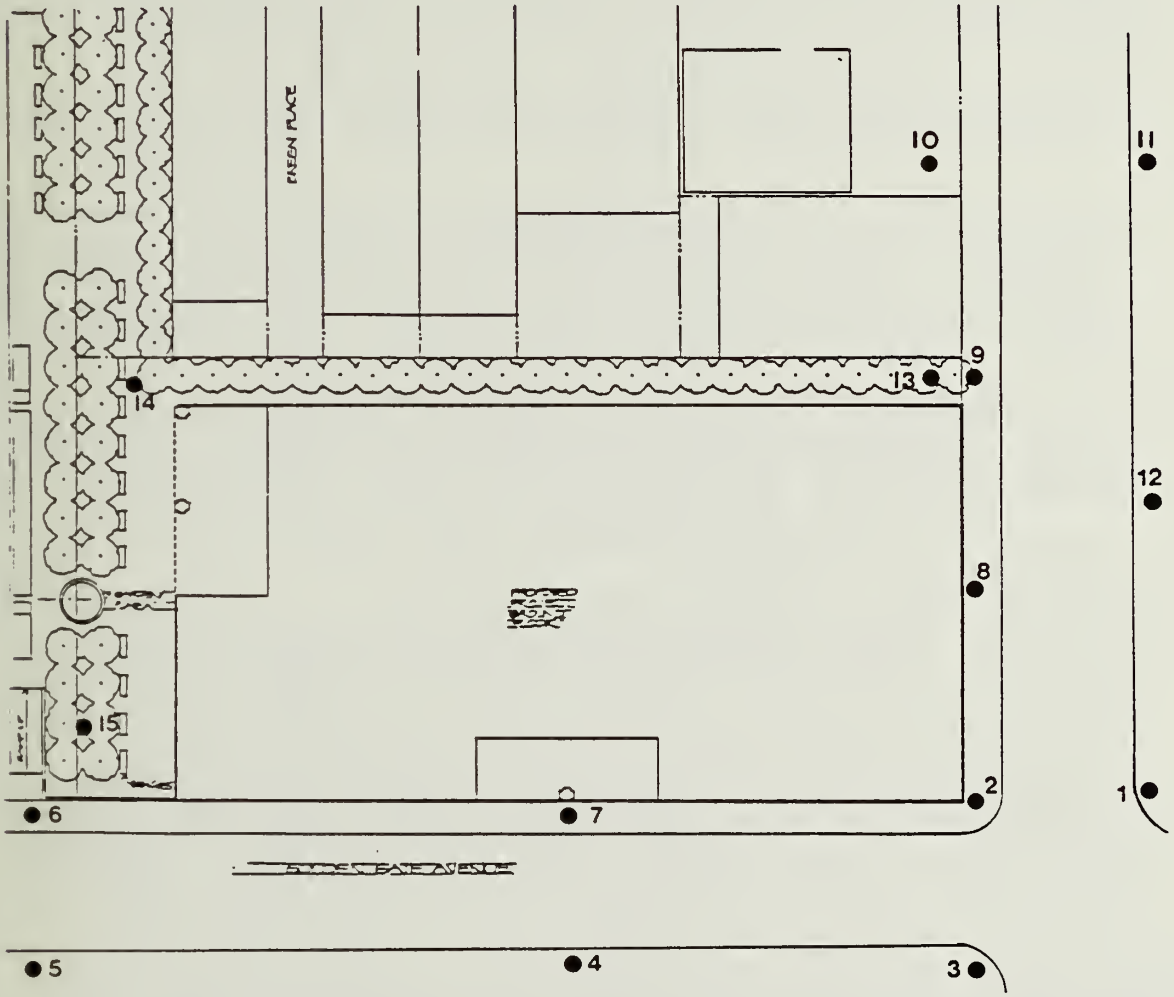
9-22 A map is included in the responses to comments. Please see attached.

9-23 Yes, this is the opinion of the consulting meteorologist.

9-24 In the early morning hours from September to March, there would be newly created shade on a small portion of the southeastern corner of the Federal Building Plaza. During the month of December, these shadows would be at their maximum, lasting until 10:30 or 11:00 a.m. on December 21. These shadows would not be significant since they would cover a minimal part of the Plaza. In addition, there is no seating in the portion of the Plaza that would be shaded.

# WIND MEASUREMENT LOCATIONS AND EQUIVALENT MEAN WIND SPEEDS EXCEEDED TEN PERCENT OF THE TIME ANNUALLY IN MILES PER HOUR

Figure 5



| Point | Existing | Project | Point | Existing | Project |
|---|---|---|---|---|---|
| 1 | 5.7 | 9.2 | 9 | 7.0 | 5.4 |
| 2 | 11.0 | 8.3 | 10 | 6.3 | 6.8 |
| 3 | 11.2 | 11.2 | 11 | 4.4 | 5.2 |
| 4 | 7.8 | 8.0 | 12 | 4.4 | 6.4 |
| 5 | 5.7 | 6.4 | 13 | --- | 6.1 |
| 6 | 4.5 | 6.8 | 14 | --- | 7.2 |
| 7 | 8.4 | 9.8 | 15 | --- | 5.7 |
| 8 | 6.6 | 6.3 | | | |

Exceedances of the San Francisco Downtown Plan wind criteria of an annual 10%-exceeded windspeed of 11 mph for pedestrian areas and 7 mph for sitting areas are underlined.

9-25 The Recreation and Park Commission mentioned on page 37 of the Draft EIR refers to the San Francisco Recreation and Park Commission.

9-26 As shown on page 41 of the Draft EIR, the proposed project would cast a shadow on the residential and commercial buildings on the north side of Golden Gate Avenue during the winter months.

9-27 The location of the proposed open space is currently shaded by existing buildings at 10:00 a.m. and 3:00 p.m. throughout the year. The location is not shaded at 12:00 noon during the spring months, is partially shaded at 12:00 p.m. during the summer and fall months, while the northwestern corner is in existing shade at 12:00 noon during the winter months.

The proposed project would not cast newly created shade on the proposed open space plaza.

9-28 The open space easement immediately south of the site is shaded by existing buildings at 10:00 a.m. and 3:00 p.m. throughout the year. The open space is also in existing shade at 12:00 p.m. during the summer and fall months. Approximately 70 percent of the open space is in existing shade at 12:00 p.m. during the winter months. The proposed project would not cast newly created shade on this open space.

9-29 The archaeologist does not recommend construction monitoring. Additional archival research will determine whether trenching is necessary and, if so, where the test trenches would be positioned.

9-30 Photographs of the existing buildings on the project site are included in the responses to comments.

9-31 The parking survey (referenced in footnote 10, pages 59 and 67 of the Draft EIR) was conducted on foot and consisted of counting the number of unoccupied spaces out the total number of on-street and off-street (garages and surface parking lot) spaces within the survey area. The survey determined there were approximately 4,500 parking spaces within a one-quarter mile radius of the project site. Using the occupancy figures derived from the survey, there would be about 600 unoccupied spaces available within walking distance of the project. The survey developed an occupancy of 85 percent of off-street parking spaces. The vacancy rate of off-street parking therefore is 15 percent.

9-32 The occupancy of on-street parking spaces was developed from a survey conducted by Jefferson Associates on November 27-29, 1984, between 10:00 a.m. and 3:00 p.m.

9-33 The suggested changes appear to belong in the 5th paragraph on page 48 and are hereby incorporated into the Final EIR.

9-34 The following paragraph replaces paragraph 4, page 49 in the Draft EIR, in order to make the transit setting section parallel to the transit impacts discussion:

> The transit agencies serving downtown San Francisco carry approximately 60 percent of the peak-period employees work travel, as well as about 20 percent of other peak-period travel. P.M. peak-hour and peak-period loadings within San Francisco transit corridors were found to be near capacity in 1984 (see Table 9). The values shown in Table 9 are sums for the peak hour and two-hour peak period of all transit lines crossing particular Downtown Plan EIR cordon lines (e.g., for all Muni buses heading toward Northeast San Francisco). Individual transit vehicles loadings vary on a day-to-day basis because of fluctuations in ridership (demand) and because of variations in operating conditions caused by traffic congestion, equipment availability and/or system breakdowns.

9-35 Table 4 is hereby omitted from the Final EIR.

9-36 The Downtown Plan EIR was certified in October 1984 and is no longer in draft form.

9-37 The source cited for information in Table 4 of the Draft EIR should be corrected to be September 1983, rather than November 1984.

9-38 Comment is noted. The Final EIR replaces the reference to Table 4 of the Draft EIR with the Downtown Plan EIR, Table IV.E.2.

9-39 Comment noted. All references on page 57 (Table 7), page 61 (Table 9) and page 51 (Section footnote 7) are hereby corrected to reference the Downtown Plan EIR, which was certified in October 1984.

9-40 Correction is noted.

9-41 Comment noted. As indicated in response 8-5, the trip generation rate used in the analysis (e.g., 33.1 trips per 1,000 net square feet) is, in aggregate, 64 percent greater than that used for other downtown office projects.

9-42 As indicated on page 1 of the Draft EIR, the project is to include 160,530 gross square feet. The "net square feet" cited in Table 6 of the Draft EIR refers to the amount of usable office space after adjusting for area loss to elevator and air conditioning space and hallways. It is the net square footage on which the daily trips are projected because it represents the area that is to be occupied by people employed in the building. As indicated in footnote 3 to Table 6, person trips were not calculated for the proposed 5,000 square foot restaurant space or the proposed 1,280 square foot retail space because that space is less than the amount of restaurant and retail now on the project site. As such, the new restaurant/retail space will generate fewer person trips than the current uses.

9-43 Comment noted. The words "Downtown Plan (2000)" have been repositioned over the second column from the right on Table 7.

9-44 The project percent column contains the project percent of 2000 demand (see revised Table).

9-45 The capacity and demand data in Table 7 is taken directly from Table IV.E.3 in the Downtown Plan EIR. The volume to capacity ratios were prepared by Jefferson and Associates but accurately reflect the data provided in the Downtown Plan EIR.

9-46 Comment noted. Table 8 in the Draft EIR is hereby changed to read "Downtown Plan 2000 Including Project." The transportation analysis conducted in the Draft EIR did not add project traffic to the year 2000 projected traffic levels. It is recognized that the 160,530 gross square feet proposed in the project falls well within the 1,227,000 square feet, anticipated by the Downtown Plan EIR, to be constructed between 1984-2000 in Subarea 5 of downtown.

9-47 The mitigation measures referred to in this sentence are those listed on pages 64-65 in the Draft EIR. Such mitigation measures will be applicable to all tenants.

9-48 Hastings intends to implement a specific parking management program. Hastings is committed to operating the garage using a progressive pricing structure that favors short-term over long-term use and commits that no less than 25 percent of the spaces will be marketed for short-term users.

9-49 The parking survey conducted as part of the Draft EIR developed the 85 percent off-street and 90 percent curb space parking occupancy figures. The survey determined there were approximately 4,500 parking spaces within a one-quarter mile of the project site. Using the occupancy figures derived from the survey, there would be about 600 unoccupied spaces available within a walking distance of the project.

9-50 The modal splits used in the analysis are the same as those used in the Downtown Plan EIR, pages J.12 and J.16. The modal splits were determined in the C-3 Employee Survey: Downtown Consultant's Report, 1983.

9-51 Tables One and Two in the Final EIR, Responses to Comments, provide a breakdown of the P.M. peak hour and peak period trips by mode and destination.

9-52 Comment noted. See Table 8 in the Final EIR, Responses to Comments, for a revised version of Table 9 in the Draft EIR.

9-53 Tables One and Two in the Final EIR indicate detailed information on peak hour and peak period transit trips generated by the project.

## TABLE 7

## OUTBOUND REGIONAL AUTO DEMAND

| | 1984 | | | DOWNTOWN PLAN (2000) | | |
|---|---|---|---|---|---|---|
| Regional Auto Corridor | Capacity | Demand | Volume/ Capacity | Demand | Volume/ Capacity | Project[1] Percent |
| Peak Hour | | | | | | |
| Bay Bridge (I-80) | 9,000 | 8,540 | .95 | 9,790 | 1.09 | .0011 |
| Golden Gate Bridge (U.S. 101) | 7,200 | 6,740 | .94 | 7,150 | .99 | .0010 |
| U.S. 101 (south of Harney Way) | 8,000 | 7,390 | .92 | 8,400 | 1.05 | .0014 |
| I-280 (btw. Alemany Blvd/San Jose Ave) | 8,000 | 7,610 | .94 | 8,650 | 1.08 | .0015 |
| Peak Period | | | | | | |
| Bay Bridge (I-80) | 18,000 | 17,880 | .99 | 19,330 | 1.07 | .0007 |
| Golden Gate Bridge (U.S. 101) | 14,400 | 13,870 | .96 | 14,850 | 1.03 | .0006 |
| U.S. 101 (south of Harney Way) | 16,000 | 14,200 | .89 | 16,530 | 1.03 | .0011 |
| I-280 (btw. Alemany Blvd/San Jose Ave) | 16,000 | 13,620 | .85 | 15,890 | .99 | .0011 |

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[1] Jefferson Associates

Source: San Fracisco Department of City Planning, Downtown Plan EIR, Certified October, 1984, p. IV.3.35.

## TABLE 8: OUTBOUND REGIONAL TRANSIT DEMAND AND SERVICE LEVELS

| Transit Agency | 1984 | | | DOWNTOWN PLAN (2000) | | | |
|---|---|---|---|---|---|---|---|
| | Demand | P/S[1] | LOS[2] | Demand | P/S | LOS | Project Percent[3] |
| **Peak Hour** | | | | | | | |
| Muni | | | | | | | |
| Northeast | 7,100 | 1.16 | D | 8,800 | 1.05 | D | 0.18 |
| Northwest | 8,200 | 1.26 | E | 10,100 | 1.25 | D | 0.58 |
| Southwest | 13,500 | 1.45 | E | 16,600 | 1.42 | E | 0.06 |
| Southeast | 5,300 | 1.06 | D | 7,400 | 1.01 | D | 0.70 |
| BART | | | | | | | |
| East Bay | 16,100 | 1.53 | F | 27,900 | 1.42 | E | 0.36 |
| Peninsula | 7,700 | 1.10 | D | 10,100 | 1.06 | D | 0.19 |
| AC Transit | 9,100 | 0.94 | C | 10,500 | 1.08 | D | 0.33 |
| GGT Bus | 5,300 | 1.00 | C | 8,500 | 0.91 | C | 0.36 |
| GGT Ferry | 800 | 0.57 | B | 1,500 | 0.38 | A | 0.37 |
| Tiburon Ferry | 200 | 0.40 | A | 300 | 0.60 | B | 0.33 |
| SamTrans | 1,900 | 1.12 | D | 3,100 | 1.19 | D | 0.37 |
| CalTrain (SPRR) | 3,100 | 0.61 | B | 4,900 | 0.79 | C | 0.34 |
| **Peak Period[4]** | | | | | | | |
| Muni | | | | | | | |
| Northeast | 12,600 | 1.06 | D | 15,500 | 0.95 | C | 0.08 |
| Northwest | 13,100 | 1.13 | D | 15,300 | 1.05 | D | 0.80 |
| Southwest | 23,300 | 1.31 | E | 28,700 | 1.29 | E | 0.32 |
| Southeast | 9,100 | 1.00 | C | 12,100 | 0.88 | C | 0.16 |
| BART | | | | | | | |
| East Bay | 25,800 | 1.54 | F | 44,100 | 1.40 | E | 0.32 |
| Peninsula | 11,300 | 0.80 | C | 14,600 | 0.77 | C | 0.38 |
| AC Transit | 14,000 | 0.95 | C | 17,000 | 1.16 | D | 0.33 |
| GGT Bus | 7,600 | 0.90 | C | 12,200 | 0.81 | C | 0.28 |
| GGT Ferry | 1,000 | 0.56 | B | 1,700 | 0.33 | A | 0.53 |
| Tiburon Ferry | 300 | 0.60 | B | 500 | 1.00 | C | 0.34 |
| SamTrans | 2,900 | 1.12 | D | 4,500 | 1.15 | D | 0.20 |
| CalTrain (SPRR) | 4,500 | 0.68 | B | 6,200 | 0.77 | C | 0.27 |

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[1] Passengers Per Seat is the ratio of total demand to seated capacity.

[2] Level of Service is a scale ranging from A to F that relates P/S ratios to passenger loading conditions on transit vehicles.

[3] The percent of demand generated by the project.

[4] San Francisco Downtown Plan Proposal for Adoption by the City Planning Commission as a part of the Master Plan, October 1984, (p.100-101).

Source: San Francisco Department of City Planning, Downtown Plan EIR, Certified October 1984, p. IV.E.29.

9-54 The pedestrian analysis was conducted for the primary pedestrian entrance, which is located in the mid-block of Golden Gate Avenue.

The revised second paragraph under the Pedestrian/Bikeway Impacts should read:

"Existing and projected pedestrian flow conditions have been identified for the primary entrance to the projected site and are indicated in Table 9. The projected flows reflect that pedestrian travel to and from the proposed project during the mid-day peak 15 minutes would change to an "impeded" condition."

TABLE 9: PEDESTRIAN FLOW: GOLDEN GATE AVENUE AT ENTRANCE

| | Mid-Day Peak 15 Minutes | | Mid-Day Peak Hour | |
|---|---|---|---|---|
| | Rate (P/F/M) (a) | Regime | Rate (P/F/M) (a) | Regime |
| Current | 1.3 | Unimpeded | .8 | Unimpeded |
| With Project (Year 2000) | 2.8 | Impeded | 1.8 | Unimpeded |

(a) P/F/M = pedestrians per foot of sidewalk per minute

9-55 The project sponsor will commit to limiting construction traffic to the hours of 9:00 a.m. to 4:00 p.m. as suggested by the Department of City Planning.

9-56 The recommendation is noted; however, the State of California has a Transportation System Management program that it implements at buildings it occupies. This program includes elements as outlined on page 65 of the Draft EIR.

9-57 The parking survey referenced in footnote #10, pages 59 and 67, was conducted by Jefferson Associates on November 27-29, 1984, between 10:00 a.m. and 3:00 p.m. for an area within a one-quarter mile radius of the project site. The survey was taken during what is considered to be the peak demand for parking spaces near the proposed project.

9-58 Comment is noted. Paragraph 2 on page 70 is hereby deleted from the Final EIR.

9-59 According to the San Francisco Department of City Planning, the office vacancy rate in the downtown area was 15 percent as of May 1986 (San Francisco Office Development Limitation Program, Departmental

Recommendations and Response to Comments, May 5, 1986). Coldwell Banker reported an office vacancy rate of 15.7 percent for downtown San Francisco for the first quarter of 1986.

9-60 Hastings College of the Law obtained opinions from several licensed real estate brokers as to the availability of space to lease. All brokers agreed that leased space is available in buildings in the area.

9-61 Commercial tenants are entitled to relocation assistance as provided by law. The commercial tenant at 361 Golden Gate Avenue has signed a Waiver of Relocation Rights: in return for a lower than market rental rate, the tenant agrees to waive any and all relocation benefits that would have been available under the Hastings College of the Law Business Relocation Plan or under any applicable relocation law or regulation.

9-62 The statement that the upper floors are "uninhabitable and in an unsafe condition for residential use" reflects that extent of work that would be required to bring the structures into compliance with applicable building and safety codes. The structures would require upgrading for fire protection, handicapped access, energy conservation, electrical protection, and structural strengthening for seismic protection. Please refer to response 1-5, also.

9-63 The proposed project involves no residential relocation because the portion of the structures on Lots 12 and 14 that were formerly used as residential units have not been occupied since 1978.

9-64 This table compares the proposed project to sections of the City Planning Code that implement the Downtown Plan. Instead of "Comparison of Proposed Project with the Downtown Plan," this table is more appropriately and is hereby entitled "Comparison of Proposed Project with Amendments to the San Francisco City Planning Code to Implement the Downtown Plan."

9-65 For purposes of computing the open space requirements, it is assumed that all space considered educational and governmental is _not_ institutional, because the internal space use and allocation has not been determined at this time. Based on 166,810 gross square feet (the entire building area except parking) the City of San Francisco would require 3,336 square feet of open space, if the project were subject to City approval. The proposed project will include 4,100 square feet of open space on the project site (page 99 of the Draft EIR).

9-66 The Draft EIR stated that shadow impacts would "vary with time of day and season" rather than repeating information that was presented in the _Shadow_ section of the EIR. As shown on the shadow diagrams in the Draft EIR, the proposed project would cast newly created shade on the sidewalks on the north side of Golden Gate Avenue during the spring and fall months at 10:00 a.m. and 12:00 noon. The project would add to existing shade on this sidewalk at 10:00 a.m. and 12:00 noon during the winter months. The project would cast no shadow on this sidewalk at any time during the summer months.

The project would cast newly created shade on the sidewalk on the south side of Golden Gate Avenue at all times throughout the year, except for late afternoons during the winter months when the sidewalk is in existing shade. Up to approximately 50 percent of the sidewalk on this side of Golden Gate Avenue is currently shaded throughout the year, except in late afternoons during the winter months as mentioned above, and in late afternoons during the summer months when the south side of the sidewalk is in newly created shade.

9-67 In "Downtown Plan, An Ordinance of the City and County of San Francisco," Section 148 states "In C-3 districts, buildings ... shall be shaped ... so that the development will not cause ground level wind currents to exceed, more than 10 percent of the time year round, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas."

Page 34 of the Draft EIR states that "Currently (emphasis added) 2 locations in the vicinity of the project site are above the 11 m.p.h. pedestrian comfort criteria." Upon project completion, only one of these locations, the northeast corner of Larkin and Golden Gate (across the street from the project site), would remain above the 11 m.p.h. pedestrian criteria. Therefore, the project would result in an improvement of wind speed at the southeast corner of Larkin and Golden Gate (adjacent to the project) and would have no effect on current wind speed at the northeast corner of this intersection.

9-68 The proposed project would include 67,030 gross square feet of parking, an amount that is over 7 percent of the gross square footage of the building. According to Section 158 of the City Planning Code, 51,130 gross square feet of the project parking would be considered a "Major Parking Garage."

9-69 Please see response 9-48.

9-70 Hastings acknowledges that the perceptions of economic value and social value of the former hotels may vary with those contemplating their rehabilitation. However, if Hastings is to consider their rehabilitation, it must evaluate its own risks and apply appropriate standards. The feasibility of rehabilitating these structures was analyzed and it was determined that the extent of work that may be required to bring the structures into compliance with applicable building and safety codes would be infeasible. The structures would require upgrading for fire protection, handicapped access, energy conservation, electrical protection, and structural strengthening for seismic protection. Please refer to response 1-5

9-71 The statement that it would be "economically prohibitive" to rehabilitate the structures on Lots 12 and 14 reflects the findings of a feasibility report prepared by Gong-Neishi-Gong, Inc., architects and structural engineers, July 15, 1985 and a supplement to the report, prepared by Milton Meyer & Company, September 9, 1985. The report and supplement indicate that, in order to bring the two structures into compliance with applicable building and safety codes, the structures would require upgrading for fire protection, handicapped access, energy conservation, electrical protection, and structural strengthening for seismic protection. The estimated costs for such upgrading range from $3.9 to $6.5 million. (A copy of the feasibility report and supplement is attached to response 1-5.)

9-72 The renovation of the former hotels cannot be an alternative because such a renovation would not meet the objectives of Hastings. The rehabilitation of the hotels would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use. Rehabilitation of the hotels would physically divide the site in such a way as to prohibit further development of the site consistent with objectives of Hastings. Please also refer to response 5-1.

9-73 The elimination of shade on the Federal Building property would be a mitigation measure, not an alternative. Since placing the Federal Building property in shade for a very limited amount of time is not a significant environmental effect, there is no need to mitigate it.

9-74 This is a mitigation measure for reducing parking rather than an alternative. There are literally thousands of modifications that could be discussed which would mitigate or pose alternatives to significant impacts.

9-75 An alternative containing more ground floor retail or community service would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use.

9-76 An alternative containing more ground floor retail or community service would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use.

9-77 The Distribution List for the Final EIR has been revised to incorporate these changes.

TYPED FROM HANDWRITTEN COPY

Michael M. Levin
834 29th Avenue
San Francisco, CA 94121

April 21, 1986

Office of the Dean
University of California
Hastings College of the law
200 McAllister Street
San Francisco, California 94102

Attention: Dean Bert S. Prunty

Subject: Golden Gate Building Project
Draft Environmental Impact Report -- SCH No.85021912

Dear Sir:

I was unable to be present at the Public Hearing on April 4, 1986, and am submitting these comments on the above subject for your consideration.

As a lifelong resident of San Francisco who has worked in the Civic Center and who frequents the cultural and governmental facilities located there in. I have become very concerned about changes in the area in recent years. I can recall when the Hastings College of the Law consisted of only one major building, the classroom structure located on the northeast corner of McAllister and Hyde Streets. I have since observed the continuing expansion of the College, first to the site of the old Hotel Iris, on the southeast corner of Golden Gate Avenue and Hyde Street, and later, across Hyde Street to the site of the old Social Security Administration office and other buildings which were demolished to make way for the new Library - Administration Building. For the most part, I felt that the loss of the demolished buildings was not of great concern and that the new college buildings were generally an improvement to the area, apart from their benefits to the College itself. However, in the case of the proposed Golden Gate Building, I am greatly concerned about the loss of architectural resources along Golden Gate Avenue and the appearance of the streetscope with the new building in place.

I realize that, according to the Draft EIR, none of the four structures now situated on Lots 12 through 15 of the building site is highly rated architecturally, but in my opinion, the older buildings--especially those occupying Lots 12 and 14--form a very pleasing group representing late 19th Century* and early post-earthquake small commercial structures, of which there are fewer and fewer examples in the area. Architectural ratings, arrived at through certain technical criteria, do not necessarily convey the importance of such structures to the environment.

Their destruction would leave still fewer, if any, examples of 10-1 this building style in the area. The view of these old structures is particularly pleasing from the front of the Federal Building on Golden Gate Avenue, as well as from other vantage points. Should the project be constructed, we would be left with an almost continuous streetscope of fairly monotonous modern structures along the south side of Golden Gate Avenue, stretching from Franklin Street (rear of the new State Building) 4 1/2 blocks east to Dale Place, past Hyde Street. I feel that this is a significant negative impact which has not been given sufficient 10-2 attention in the Draft EIR.

Concerning the adequacy of the EIR, I was surprised to find no photographs of the project site included. Within Chapter III 10-3 (Environmental Setting, Impacts and Mitigation Measures), there should be some photographs of views along Golden Gate Avenue and along Larkin Street, perhaps from each direction, clearly showing the project site and all of the existing structures. Such views would help to evaluate the impact of the loss of those structures if the project is undertaken. It might also be useful to include photomontages showing the proposed project as it would appear on 10-4 the actual site, if possible. (Figures 3 and 4 on pages 17-18 of the Draft EIR, are helpful, but do not provide an adequate picture of the project.)

Before closing, I must say that I was somewhat surprised to learn that the State of California needs additional office space, as proposed for the Golden Gate Building, in the face of the nearing completion of the large new State Building at Mc Allister and Van Ness Avenue. I must also wonder about the ever increasing needs of th college. I know that Hastings has provided valuable educational services for many years, (although there are those who say that we are producing an overabundance of lawyers if I may be permitted a partly facetious observations). It might be helpful to clarify or briefly explain the need for all of this 10-5 additional space, in the EIR

Thank you for your consideration of these comments. I hope you can respond to my concerns.

Sincerely,

Michael M. Levin

*In style--I realize they were all built in 1906 or later

**Responses to Comments from Michael M. Levin**

10-1 Comment is noted.

10-2 The proposed project will have ground floor uses (retail and restaurant) that are different from other nearby buildings. In addition, the project would have an articulation and character that is different from other nearby buildings. These differences would not leave a monotonous streetscape, even though some buildings along Golden Gate may have similar construction dates.

10-3 Photographs of the project site are included in the responses to comments.

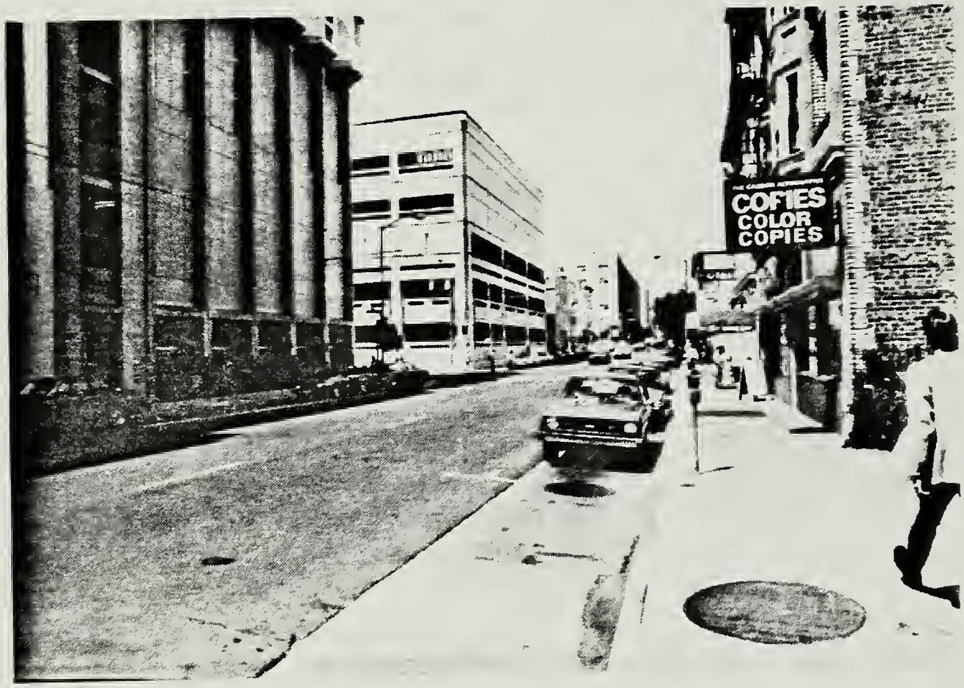
10-4 During preparation of the Draft EIR, the use of photomontages was considered as a means of providing a visual description of the project's appearance. It was determined, however, that elevation drawings from Golden Gate Avenue and from Larkin Street, when considered in conjunction with a verbal description of the existing environment, would provide a more realistic assessment of the projects' appearance.

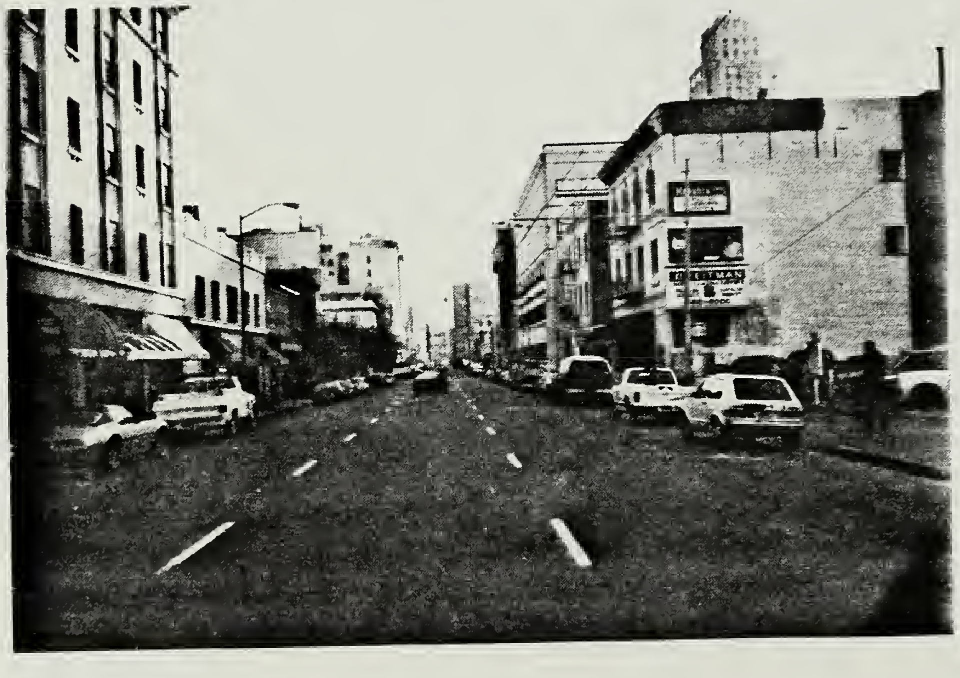
10-5 Although Hastings may have a decline in student enrollment over the next five years, Hastings programmatic growth will include graduate education in taxation and other disciplines, a bio-ethics program in cooperation with the University of California at San Francisco, a broadened public research effort and additional clinical instruction. These additional programs will create a demand for increased space needs.

In the meantime, the State of California is interested in leasing governmental office space in the proposed project because this would allow the State to meet its goal of consolidating employees in a single building. The State has found it is more economical to house many State employees in one building than to have employees dispersed in many small offices.

# PHOTOGRAPHS OF VIEWS ALONG GOLDEN GATE AVENUE

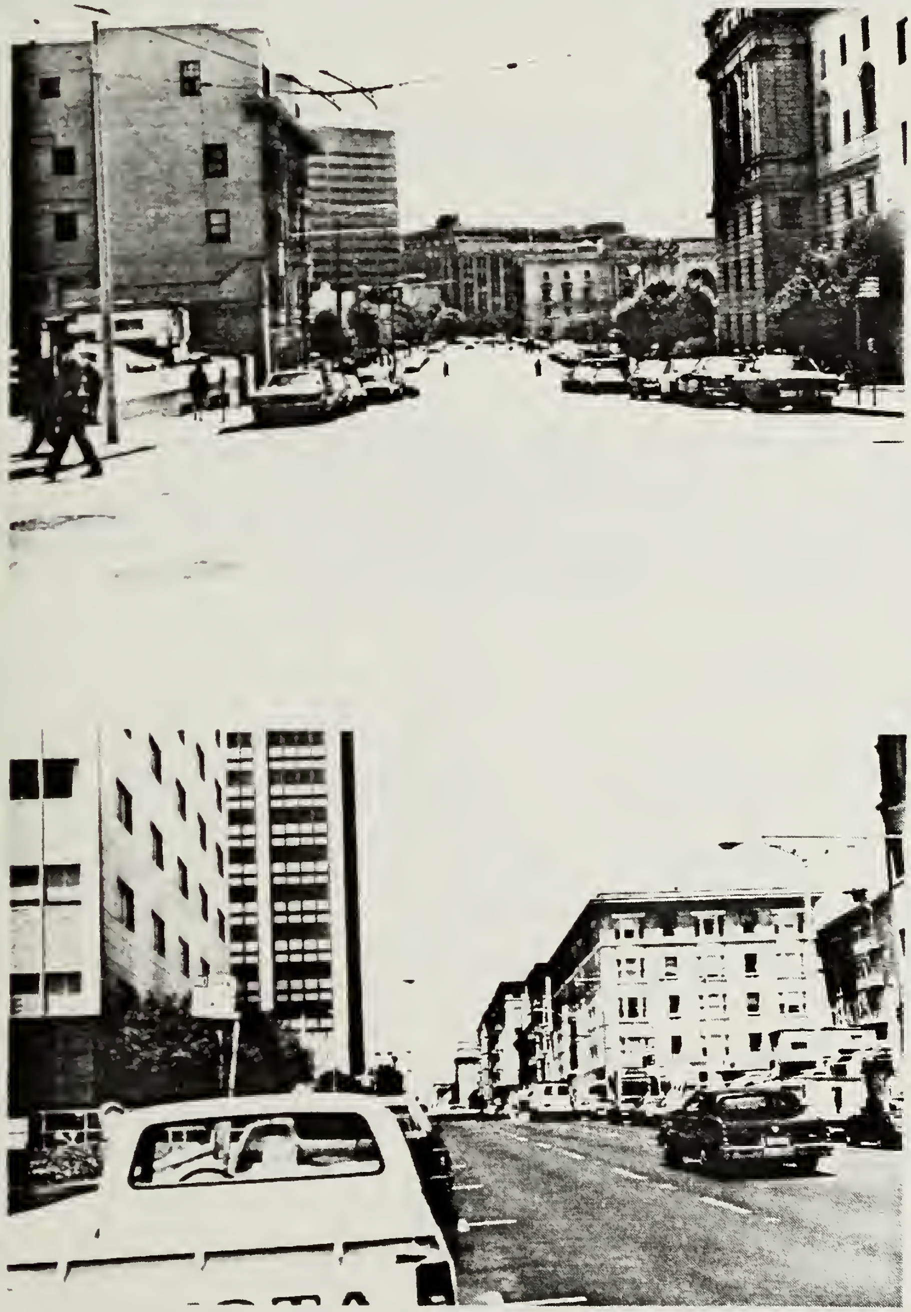
Figure 6





## PHOTOGRAPHS OF VIEWS ALONG LARKIN STREET

Figure 7



TO: The Dean, Hastings College of the Law

FROM: The North Mission Association

11-1 Our community group is opposed to your attempt to tear down the Philadelphia and Eureka Hotels to build offices which will not serve the community or the University, but will instead be rented for profit.

11-2 San Francisco needs more affordable housing, not empty offices. Your project will drive the Tenderloin's low-income and elderly residents into the Mission where they will compete for scarce housing resources with our residents.

11-3 You obviously are aware of the fact that the cost of rehabilitation of such structures as the Eureka and Philadelphia is substantially less than the cost of new construction. Still you persist.

11-4 We are alarmed at the apparant lack of due process of law that is attendant upon this and, it would seem, other UC projects and support any legislative effort to close this loophole. We urge you to reconsider your position before such just and necessary procedures that Tenderloin residents must take to protect their homes and community reach a point of no-return.

Sincerely,

cc: North of Market Planning Coalition

**Responses to Comments from the North Mission Association**

11-1 Opposition to the project is noted; however, this comment does not pertain to the issue of compliance with the California Environmental Quality Act.

11-2 There are no residents who would be displaced from the site; therefore the project would not be responsible for driving resident dislocation.

11-3 Please refer to response 1-5.

11-4 Comment is noted. This comment does not pertain to the issue of compliance with the California Environmental Quality Act.

GEORGE DEUKMEJIAN, *Governor*

TATE OF CALIFORNIA—OFFICE OF THE GOVERNOR

OFFICE OF PLANNING AND RESEARCH
400 TENTH STREET
ACRAMENTO, CA 95814

RECEIVED
APR 22 1986
HASTINGS COLLEGE OF THE LAW

April 21, 1986

Tricia A. Dolter
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

Subject: Golden Gate Building
SCH# 85021912

Dear Ms. Dolter:

The State Clearinghouse submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is closed and the comments of the individual agency(ies) is(are) enclosed. Also, on the enclosed Notice of Completion, the Clearinghouse has checked which agencies have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the package is not in order, please notify the State Clearinghouse immediately. Your eight-digit State Clearinghouse number should be used so that we may reply promptly.

Please note that recent legislation requires that a responsible agency or other public agency shall only make substantive comments on a project which are within the area of the agency's expertise or which relate to activities which that agency must carry out or approve. (AB 2583, Ch. 1514, Stats. 1984.)

These comments are forwarded for your use in preparing your final EIR. If you need more information or clarification, we suggest you contact the commenting agency at your earliest convenience.

Please contact Pamela Milligan at 916/445-0613 if you have any questions regarding the environmental review process.

Sincerely,

John Ohanian

John B. Ohanian
Chief Deputy Director
Office of Planning and Research

cc: Resources Agency

Enclosures

**Business and Transportation Agency**

lifornia

# orandum

Pam Milligan
State Clearinghouse
1400 Tenth St., Room 121
Sacramento, CA 95814

**Date:** March 28, 1986

**File :** SF101-5.26
SCH #85021912
SF101016

**DEPARTMENT OF TRANSPORTATION** -4

DEIR - Golden Gate Building
Lead Agency - University of California - Hastings College of Law

Caltrans has reviewed the above-referenced document and forwards the following comments:

1. Page 54, the section under "Project Travel Demand" should indicate how many vehicle trips will be generated. 12-1
2. Page 59, second paragraph suggests from the calculation of "1,908 daily work trips..." equalling "131 long-term parking spaces" that peak hour vehicle generation may be about 130 vehicles. 12-2
3. This report should show more clearly what the project-generated vehicle traffic will be and what, if any, impacts this traffic will have on Van Ness Avenue (State Route 101). Specifically, we are concerned with the intersections of Golden Gate Avenue and Turk Street. 12-3 If project-generated traffic has a significant impact on Van Ness Avenue, the discussion also should include the impacts of cumulative growth traffic. 12-4

Should you have any questions regarding these comments, you may contact Charlotte Cosulich of my staff at (415) 557-9431.

Wallace J. Rothbart

WALLACE J. ROTHBART
District CEQA Coordinator

RECEIVED
APR 1 8 1986
State Clearinghouse

**Responses to Comments from the California Department of Transportation**

12-1 A total of 74 and 115 vehicle trips would be made during the peak hour and peak period, respectively, using worst-case assumptions. The projections assume 2.7 persons per carpool and 12 persons per vanpool, similar to factors used in the Downtown Plan EIR.

12-2 Please refer to response 12-1.

12-3 An estimated 23 peak period vehicles and 15 peak hour vehicles would be added to Van Ness Avenue traffic heading in the direction of Northwest San Francisco and the North Bay. The most recent traffic counts taken by the San Francisco Department of Public Works for a location on Van Ness Avenue nearest the project site indicate a peak period (4:00-6:00 p.m.) volume of 6,236 vehicles and 3,306 in the peak hour. (Phone interview with Tucky Kung, San Francisco Department of Public Works, June 12, 1986.) The monitoring site was south of California Street on Van Ness, taken March 16, 1981.

The San Francisco Cordon Count (JHK & Associates) taken nearest the site (Van Ness Avenue between Austin Street and Pine Street) on April 20, 1983, indicated 3,414 peak hour vehicles and 6,407 peak period vehicles. Northbound vehicular traffic counted in the 1983 survey indicated 1,777 peak hour trips and 3,375 peak period trips.

Therefore, vehicular traffic from the project would add about .7 percent to the northbound Van Ness peak hour and .6 percent peak period traffic if all North Bay and Northwest San Francisco-destined workers used that street.

12-4 As indicated in response 12-3, the project would not have a significant impact on Van Ness Avenue.

NOTICE OF COMPLETION AND ENVIRONMENTAL DOCUMENT TRANSMITTAL FORM (3/8) SCH # 85021912

1. Project Title: Golden Gate Building
2. Lead Agency: University of California ~~Hastings College of the Law~~ 3. Contact Person: Tricia A. Dolter
3a. Street Address: 200 McAllister St. 3b. City: San Francisco
3c. County: San Francisco 3d. Zip: 94102 3e. Phone: (415) 565-4701

PROJECT LOCATION 4. County: San Francisco 4a. City/Community: San Francisco
4b. Assessor's Parcel No. 347 Lots 10-15 4c. Section ___ Twp. ___ Range ___
5a. Cross Streets: Golden Gate and Larkin 5b. For Rural, Nearest Community: ___
6. Within 2 miles: a. State Hwy # 101 & 80 b. Airports ___ c. Railways ___ d. Waterways ___

7. DOCUMENT TYPE

CEQA

01. ___ NOP
02. ___ Early Cons
03. ___ Neg Dec
04. X Draft EIR
05. ___ Supplement/Subsequent EIR (Prior SCH No.: ___)
06. ___ NOE
07. ___ NOC
08. ___ NOD

NEPA

09. ___ NOI
10. ___ FONSI
11. ___ Draft EIS
12. ___ EA

OTHER

13. ___ Joint Document
14. ___ Final Document
15. ___ Other ___

8. LOCAL ACTION TYPE

01. ___ General Plan Update
02. ___ New Element
03. ___ General Plan Amendment
04. ___ Master Plan
05. ___ Annexation
06. ___ Specific Plan
07. ___ Community Plan
08. ___ Redevelopment
09. ___ Rezone
10. ___ Land Division (Subdivision, Parcel Map, Tract Map, etc.)
11. ___ Use Permit
12. ___ Waste Mgmt Plan
13. ___ Cancel Ag Preserve
14. ___ Other ___

9. DEVELOPMENT TYPE

01. ___ Residential: Units ___ Acres ___
02. X Office: Sq. Ft. 160,530 gsf Acres ___ Employees apprx. 990
03. ___ Shopping/Commercial: Sq. Ft. ___ Acres ___ Employees ___
04. ___ Industrial: Sq. Ft. ___ Acres ___ Employees ___
05. ___ Water Facilities: MGD ___
06. ___ Transportation: Type ___
07. ___ Mining: Mineral ___
08. ___ Power: Type ___ Watts ___
09. ___ Waste Treatment: Type ___
10. ___ OCS Related
11. ___ Other: ___

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10. TOTAL ACRES: ___ 11. TOTAL JOBS CREATED: ___

12. PROJECT ISSUES DISCUSSED IN DOCUMENT

01. X Aesthetic/Visual
02. ___ Agricultural Land
03. X Air Quality
04. X Archaeological/Historical
05. ___ Coastal Zone
06. ___ Economic
07. ___ Fire Hazard
08. ___ Flooding/Drainage
09. ___ Geologic/Seismic
10. X Jobs/Housing Balance
11. ___ Minerals
12. X Noise
13. ___ Public Services
14. ___ Schools
15. ___ Septic Systems
16. ___ Sewer Capacity
17. ___ Social
18. ___ Soil Erosion
19. ___ Solid Waste
20. ___ Toxic/Hazardous
21. X Traffic/Circulation
22. ___ Vegetation
23. ___
24. ___ Water Supply
25. ___ Wetland/Riparian
26. ___ Wildlife
27. X Growth Inducing
28. X Incompatible Landuses
29. X Cumulative Effects
30. ___ Other ___

13. FUNDING (approx.) Federal $ ___ State $ ___ Total $ ___

14. PRESENT LAND USE AND ZONING: Commercial, office, educational and public parking. Zoning is C-3-G (Downtown General Commercial).

15. PROJECT DESCRIPTION: The University of California, Hastings College of the Law, proposes to construct a 6-story, 80-foot project for educational and governmental use, including offices on a 37,812.5 sq. ft. site owned by Hastings College of the Law. The building would have 160,530 gsf of educational and governmental space, including offices, about 67,000 gsf of below ground parking, about 5,000 gsf of restaurant space and about 1,280 gsf of retail space. The project includes about 4,100 sq. ft. of on-site open space and an additional buffer area on the southern perimeter.

16. SIGNATURE OF LEAD AGENCY REPRESENTATIVE: ___ DATE: March 7, 1986

CLEARINGHOUSE CONTACT:
Pamela Milligan

STATE REVIEW BEGAN: 3/7/86
DEPT. REVIEW TO AGENCY: 4/4/86
AGENCY REVIEW TO SCH: 4/18/86
SCH COMPLIANCE: 4/21/86

N/C S/C
___ RESOURCES
___ [redacted]
___ CONSERVATION
___ FISH/GAME
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ PARKS&REC/OHP
___ [redacted]
___ BCDC
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ REGION# 2 OAK
___ [redacted]
___ [redacted]

N/C S/C
X CALTRANS# 4
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ HEALTH SVCS
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ OLA (SCHOOLS)
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]
___ [redacted]

(Revised 12-83)

**MERCHANDISERS**
**INCORPORATED**
343 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102
(415) 864-0515

APR 22 1986
HASTINGS COLLEGE of the LAW

April 21, 1986

Office of the Dean
University of California
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

RE: Comments to Draft Environmental Impact Report for the Golden Gate Building (3/7/86, SCH # 85021912)

As the tenant with the longest tenancy of any of the buildings being selected for demolition for the Hastings College of the Law Golden Gate Building, I would like responses to the following questions in the Final Environmental Impact Report. 13-1

1. Why are on-site "educational users" and resturants eligible for Hastings' assistance in locating interim space and the availability for space within the project upon it's completion and Merchandisers not? (pgs. 6 & 89 of Draft EIR).

2. Why was a relocation plan presented to Merchandisers dated 13-2
7/25/77 with assurances of my eligibility, subsequently refused
to me after a 275% rent increase, and currently not mentioned
in the Draft EIR even though provided for in both State and
Federal statutes? (California Relocation Assistance Act and the
Uniform Relocation Assistance and Real Property Acquisition 13-3
Policies Act of 1970). And why have other businesses benefited
from this relocation plan while Merchandisers has remained the
longest existing commercial tenant, occupying the same building
prior to Hastings' purchase of it? Based on this, I would 13-4
disagree with lines 3 thru 8 on page 91 of the Draft EIR and
request an explanation of the benefits which Merchandisers is
supposed to understand receiving and available to it and the
equality with which these have been provided.

The records and knowledge I have accumulated about my business 13-5
location do not, in many cases, agree with information in the Draft
EIR. But, at least, more specific information should be provided
in the Final EIR concerning the commercial tenants which will be
put out of business by the project. As a tenant of this building
since 1972, I think specific responses to these questions is only
appropriate since in the past I have relied heavily on information
provided by Hastings College of the Law for my business decisions.

Sincerely,

R. Farella

Richard Farella

RMF:tl

## Responses to Comments from Merchandisers Incorporated

13-1 The Draft EIR does not state that Merchandisers is not eligible for Hastings assistance in locating interim space and not eligible for space in the proposed project.

13-2 The 1977 relocation plan was not mentioned in the Golden Gate Building Draft EIR because that plan pertained to an unrelated, previous project described and analyzed in the Final EIR for a Proposed Hastings Law Center (July 25, 1977).

13-3 Merchandisers is entitled to all relocation assistance as provided by law.

13-4 Merchandisers is entitled to all relocation assistance as provided by law.

13-5 The proposed project possibly could result in relocation of current commercial users on the project site (Knight's Restaurant and Merchandisers, Inc.), but this cannot be necessarily construed as resulting in future business failures.

SUE C. HESTOR
Attorney at Law
870 Market Street, Rm. 1121
San Francisco, CA 94102
(415) 362-2778
552-2194

APR 23 1986

April 23, 1986

Hastings Law School
Office of the Dean
198 McAllister Street
San Francisco CA 94102
Attn: Tricia Dolter

Comments on Golden Gate Building - SCH 85021912

The following comments are submitted on behalf of San Franciscans for Reasonable Growth and on my own behalf.

(1) Lack of clear identification of approval process

The March 7 memo included as the second page of the DEIR states that "the University of California, Hastings College of the Law...will use the Final EIR when making its decision whether to proceed with the project..." The general public needs more information than that. Who will do this? The Board of Hastings? Will there be a committee hearing? What kind of public notice will be given? When will that occur? 14-1
Please provide detailed information on exactly how and when this all will occur -- including sub-committees, etc. -- and how people may be informed of those meetings. Who may participate? How? Will all of the people who signed in at the DEIR hearing, who testified, who submitted comments be notified by mail of all of the decision points. They should. The decision-making process of Hastings is not general information. Please spell it out in detail. This is also a comment on discussion on page 16.

(2) Lack of information on funding for project

14-2 How is this project to be financed? Are bonds to be floated? Will this EIR be used as support for the bonds? Is Hastings going to borrow the money? What security will be posted? What tenants are lined up? What tenants are being solicited? What is the level of interest? From whom? With the new state office building opening shortly and the Gann limit on spending, what documented need is there for additional state office space? 14-3 If not state, what commitment do you have from the federal government or other government agencies? Is Hastings intending to put up long-term leases with government agencies as the security for loans? Is the state entering into such leases given current spending restrictions? Exactly who has been talked to -- so that the public can receive independent confirmation? How does this comport with the Van Ness Plaza project, which also assumes it will get those tenants? 14-4

(3) page 1 - Give a breakdown on the square footage to be used for "educational purposes." 14-5 Where is the need for that space identified in the Hastings Long Range Development Plan? 14-6 Why is the space in the current buildings insufficient? 14-7 Please explain why the vacant KGO studios are omitted from this discussion. 14-8 KGO claims that it has donated that vacated space to Hastings. Why is there no alternative renovating the KGO facilities to provide any necessary space "needed" by Hastings? 14-9 Does Hastings intend to expand its student population? If no, why does it need more space? If yes, who has approved those plans and to how many students by when? 14-10 14-11

(4) page 1 - "Governmental space" means nothing. Is this building going to be restricted by law, by unalterable covenant or some other permanent and binding restriction to "government." Which governments? What if there is only government interest for 25% of the space, will you then go into the general market? There is nothing in this EIR which evinces the slightest bit of "government" interest in leasing space, other than Hastings, to the extent it is "government." Does your definition of "government" include the entirety of the UC system, e.g. UCSF? Are they interested in this space? Please define "governmental space." 14-12

(5) page 11 - how much money do you anticipate netting from the project for student "subsidies" of any sort? 14-13 Please spell out in detail how this is a "university" function, instead of just real estate speculation. 14-14 What will be the annual cash flow anticipated? How will it be distributed? To whom? Is the trickle-down benefit to students 1%, 10%, 20% of gross project revenues? Please project over the life of the project? 14-15 If the project is unable to get sufficient tenants, who will bear the loss, if any, from the project? Will the trustees then just sell it to the highest bidder with no restrictions on tenants? 14-16 Since the office market is so glutted in San Francisco, this is not a theoretical question. 14-17 Other office developers can still "make money" by sheltering other income and thereby sustain a negative cash flow. Hastings is not in that situation. Do you plan on "selling off" any negative cash flow to a profit-making entity so that they can avoid taxes? 14-18

(6) page 11, last paragraph - just because a government entity uses (i.e. is a tenant) in a building doesn't make the building exempt from zoning. The first statement about being

not subject to local regulations is just plain wrong. And who 14-19
exactly is the "probable primary user?" I made verbal
comments on the hearing related to this. Please explain in 14-20
detail why you contend Hastings in not under local zoning. Is
it because Hastings "claims" to use a small, identified
portion of the space. This is a speculative office building.
Is the only thing that "exempts" it from local zoning controls
Hastings minimal usage of the space. Later in the EIR this
new method of avoiding local zoning by staking out a parcel 14-21
and using a tiny portion of it needs to be examined for its
policy implications as a growth-inducing and displacement-
inducing impact. Have there been any discussions with other 14-22
entities in the UC system, e.g. UCSF, and is Hastings the
stalking-horse for others to follow. In other words is this
being done as a test case? Does Hastings have other buildings 14-23
up its sleeve and as long as you parcel out staff space a
couple thousand feet here, a couple thousand feet there, will
this become a precedent for other similar speculative
projects? Why should the public not think so?

(7) page 13 - please describe your plans for the other
Hastings owned property not currently used by the University. 14-24
Please include details of any arrangements, communications
with KGO regarding their now vacant facilities.

(8) page 14 - This is a 233,840 sq ft project. Why do you 14-25
claim the benefit of the Downtown Plan liberal calculations
while at the same time claiming exemption from them. A
correct figure, and a totalling of Table 1 is in order. Also 14-26
Table 2 should be recalculated to get real world FAR, not the
reduced FAR when the Downtown Plan is applied. This is not a 14-27
5.6:1 project in real life terms.

(9) pages 17 and 18 - the only renderings of the building 14-28
show it to be an architectural dog. It is extremely
institutional and unimaginative. That terrible architecture
can in no way be an overriding concern when compared to the
significant adverse environmental and social harms the project
will wreak.

(10) pages 20-22 - need explanation of codes on figures 14-29

(11) page 24 - very confusing about what is "Civic Center
area" and "core Civic Center area." This project is not zoned
Public, but C-3-G. Straighten out and clarify the 14-30
terminology.

(12) page 25 - what is current amount of office space in
downtown San Francisco? You have included under "setting" 14-31

Downtown Plan's projections to years 1990 and 2000. Need a starting point in setting.

(13) throughout the document - it is outrageous to call
office space "governmental and educational space." There is 14-32
not a shred of evidence to support that definition. Call a
spade a spade. Unless you can give absolutely binding
documentation that the project is limited to government
offices and that tenants are lined up, the description is
incredibly dishonest and an attempt to avoid bad
connotations.

(14) page 26, 4th full paragraph - this is not compatible 14-33
with C-3-G uses. That zoning is for a variety of uses. There
are a variety of uses on the site and on the block - housing,
retail, parking, law school. The site is going to be a
basically monolithic office building. That is not what C-3-G
is about.

(15) page 29 - visual quality impact is terrible. This is an
ugly building with absolutely no imagination to it. 14-34

(16) page 35, setting - the current setting of Golden Gate on 14-35
this block is that it is a sunny stretch of street, especially
on the north side, round the year.

(17) page 35, et seq, impacts - see page 51 for pedestrian
information. The main time for intensive pedestrian use is
over the lunch hour. Therefore adverse shadow impacts at that
time are especially harmful. Please revise these sections to 14-36
spell this out clearly.

(18) page 37, open space - what about impacts on Federal 14-37
Building plaza here? Also need to note that the open space
for THIS building will not be shadowed by the project because 14-38
it has been sited in such a way as to itself be in shadow
throughout much of the year. Please amend the shadow diagrams
to show the shadowing on the project's own open space. 14-39

(19) page 37, mitigation - there are significant shadow
impacts because Golden Gate will be shadowed throughout much 14-40
of the lunch hour for much of the year. This needs to be
identified and mitigated.

(20) page 45, impacts - please describe cumulative loss of 14-41
"C" rated buildings since 1976. How many? What proportion?
This info is in the Downtown Plan documents but please update
to include building lost, or approved for demolition, since
those lists were compiled. Also the C-rated building to be

demolished is a sorely needed residential hotel. Describe
cumulative loss of similar rated hotels. 14-42

(21) page 46 - project will contribute to cumulative loss of
rated buildings. An impact which is significant 14-43
cumulatively.

(22) page 47 and generally - this document relies heavily on
the Downtown Plan EIR for its projections and appears to be
effectively a "tiered EIR." Such reliance is inappropriate. 14-44
Hastings cannot use the Downtown Plan EIR as a tiered EIR
because it doesn't meet the requirements of Public Resources
Code Section 21094(b). This project is not consistent with
the Downtown Plan and the assumptions of the Downtown Plan EIR
because it claims to be exempt from exactly those controls AND 14-45
MITIGATION MEASURES AND OTHER LOCAL ORDINANCES on which the
Downtown Plan relied to make its projections. For example,
the DTP EIR projected a substantial increase in transit usage
and made that projection in part on mitigation measures,
including payment of a transit fee to add new MUNI service,
that would be imposed on the additional development. But this
project will avoid those mitigations and fees. To the extent
the project and others like it do not meet the requirements of
the Downtown Plan, the Downtown Plan EIR can't possibly
describe cumulative impacts. The only agency which has the
ability to use the Downtown Plan EIR as a tiered EIR is the
City and County of San Francisco. (21093(b)). Hastings is
not covered.

(23) page 47 - what surveys are available of the travel
patterns of those who you assume will be the occupants of the 14-46
building? If they have already been identified, use those
persons and their travel patterns, not the assumptions of the
Downtown Plan. For example, if they are preponderantly San
Francisco residents, the Downtown Plan assumptions are too
heavily weighted toward regional travel. Muni impacts would
be understated. If they are preponderantly regional, in
particular East Bay residents, why is it not an appropriate 14-47
alternative to site this project in Oakland near a BART stop?

(24) page 48, 2nd paragraph - how do you know this lot
primarily services employees and students of the College? 14-48
What measures is Hastings willing to take to DISCOURAGE
faculty auto usage? A stiff monthly charge? Is this demand 14-49
going to be shifted to other locations or will faculty parking
be given the priority in the garage? What rate will be 14-50
charged? This needs to be considered as a mitigation if you
are going to use the Downtown Plan EIR as your base document

because that assumes positive disincentives for all day-long parking.

(25) page 48, 3rd paragraph - when was street parking availability measured? Over range of dates? Were any when there was a convention at Civic Auditorium? 83% seems awfully low. What about late morning? 14-51

(26) page 48, last paragraph - this is simply unintelligible. A whole lot of figures have been strung together in a way that doesn't make sense. Rewrite in English. 14-52

(27) page 49 - a lot of unattributed numbers and percents in the transportation section. E.g. first sentence of paragraph 4. How could anyone check your data and projections? Table 4 without a projection into the future of capacity and ridership is totally useless. Give those future projections. 14-53

(28) page 54 - see above comment on use of DTP EIR. You can't assume DTP modal splits in future, since you have not imposed DTP mitigations and requirements. One thing you would have to do is get rid of faculty parking on any basis other than short term with stiff rate. 14-54

(29) page 55, fn 3 - you are assuming that if Knight's is a tenant in your building, that because their space will decrease, their patronage will drop off. Have you told them this? It is a ridiculous assumption. Increasing on-site demand will increase trips to the restaurant under most everyone else's logic. 14-55

(30) whole transportation and other cumulative impact analysis - please provide a list of cumulative development projects and an analysis of their impacts. Reliance on the Downtown Plan EIR as is set out above is unwarranted. Please provide information on how many square feet the Downtown Plan anticipates by the years 1990 and 2000. Then provide a list of projects that have been added, are under construction or are approved since the 1984 Base Case. Break them down by C-3 and non-C-3. SFRG has provided separate comments on why the Downtown Plan EIR does not include a non-C-3 component in its analysis of future impacts, but merely projects increases for the C-3 area and adds those increases the the C-3 and non-C-3 base case. Without a list it is impossible for the public to understand the grossly understated impacts assumed in the DTP EIR -- understatements because 1/3 of the downtown development has been omitted from the analysis of cumulative impacts. 14-56

(31) page 59 - give current numbers of persons per auto and then given DTP EIR goal. This project cannot assume this shift because it will avoid the controls that allow that assumption. 14-57

(32) page 60 - what are the levels of fundings anticipated in the DTP EIR and the program for adding more transit? It is now 3 years since the base data. How have the assumptions borne out, especially on federal funds for transit assistance? This entire section rests on assumptions of the DTP EIR which this project itself directly contradicts by taking itself out of the DTP mitigations and controls. 14-58

(33) page 64 - go through every mitigation measure imposed by the Downtown Plan, or under consideration, or under jurisdiction of someone else. Measure this project against those measures. Include the Transit Impact Development Fee legislation, its intent and its findings. 14-59

(34) page 65, 3(a) - that is not a mitigation, but a condition. What do you think it is mitigating? 14-60

(35) page 67, fn 9 - incorporation of DTP EIR is inappropriate for above-stated reasons - especially mitigation section in light of the outrageousness of the mitigation measures proposed here. 14-61

(36) page 70, paragraph 2 - DTP is not pending. Strike this paragraph. 14-62

(37) air quality analysis in general - assumes modal splits of downtown plan. For same reasons as transportation analysis, inappropriate for a project outside the controls to use these presumptions. 14-63 How would impacts shift if project was in Oakland at BART station? 14-64

(38) page 80 - how does this project compare to energy standards of new state office building on Van Ness? Just meeting minimum standards isn't enough. 14-65

(39) page 88 - vacancy data is out of date. Get more current from Department of City Planning. Way too low. What is rate in this area of downtown? 14-66

(40) page 90 - break out "educational" employees vs "government." 14-67 Where would employees be coming from? Which buildings? If they move out, why should EIR not assume others won't move in? 14-68 This assumption is totally unwarranted and bizarre. Are the other buildings going to remain vacant? How do you know? 14-69

(41) page 91, mitigation - this is outrageous avoiding of the
issue. Increasing the supply of office space available to be
rented increases the potential impacts. That is what CEQA 14-70
requires you to analyze.

(42) page 96 - see above comment on this project being a
precedential stalking horse for other similar projects. You 14-71
have improperly avoided the growth-inducing impacts of that
policy and of the addition of new office space in the glutted
market of San Francisco. This project also has a cumulative 14-72
displacement impact on the residential area. That needs to be
addressed.

(43) page 99 - this table is non-informative. Tell us
exactly how the project doesn't measure up to the DTP. E.g. 14-73
Off-street loading - does this mean there should be 3 loading
space? Go through entire list. Omitted from the list in the
Open Space fee requirement, the Child Care Fee, the Transit 14-74
Impact Development Fee, the Office Affordable Housing
Production Program and other programs imposed as part of the 14-75
Downtown Plan. All of those programs and fees are part of the 14-76
assumptions of the DTP EIR projections.

(44) page 102 - please substitute the cumulative findings 14-77
adopted as part of the downtown plan. This project also has
site-specific and cumulative housing and community 14-78
displacement impacts, policy impacts for other end-runs by UC 14-79
around local zoning, and shadow impacts. 14-80

(45) page 107 - need to note that there is no need for
additional office space in downtown San Francisco and that
this alternative would be consistent with that state of 14-81
affairs and would therefore avoid expanding harmful impacts.

(46) Alternatives - need an alternative which relocates the
office part of the project next to a BART station in downtown 14-82
Oakland and which utilizes the space in the KGO facilities for 14-83
any needed Hastings "educational" facilities.

(47) Also need a non-building alternative to generate the
supposed revenues for student subsidies, loans. How much will
the project generate? 14-84

Once the information above is supplied, the revised EIR should
be recirculated. 14-85

Sue C Hestor

Sue C. Hestor

**Responses to Comments from Sue C. Hestor**

14-1 A decision to proceed with the proposed project can only occur after the Final EIR is certified. One public hearing was held on the Draft EIR on April 4, 1986. Hastings Board of Directors anticipates that it will consider the certification of the Final EIR and the proposed project during the summer of 1987. This Final EIR is a notice of that intent and the exact date, place and time of the Hastings Board meeting will be posted, noticed, and circulated as provided by law. Any member of the public, if they have real and legitimate grounds, can appeal a Hastings Board decision through the appropriate legal process.

14-2 The precise funding arrangements have yet to be determined; however, it is anticipated that the project will be primarily financed by revenue bonds issued by the appropriate State agency. Revenues to secure the payment of bond principle and interest will be provided by tenant leases and other sources as needed.

14-3 Since a project need not be justified by CEQA, but rather have its physical impacts evaluated, the following is offered for informational purposes:

The State is interested in interim leasing of space in the proposed Golden Gate Building, but due to economic constraints, the State cannot make a final decision to lease space in this building until after completion of the Final EIR and the project is approved. The State agencies that potentially would be compatible for consolidation into the Golden Gate Building are shown on the attached list. None of these agencies are scheduled to move into the Van Ness State Building. The new State office building at Van Ness and McAllister will house employees of the Public Utilities Commission. A decision as to which agencies would potentially be relocated would require examination and determination of the space requirements of the agency. In the event that State agencies would be unable to occupy the proposed building, other governmental agencies in San Francisco would occupy the space, relocating from existing offices in a manner similar to the potential relocation of State agencies.

Interim leasing of office space in the Golden Gate Building would allow the State to meet its goal of consolidating employees in a single building. Past experience has proven that it is more economical to house many State employees in one building than to have employees dispersed in many small offices. As stated in the San Francisco State Building Final EIR, April 1980, and recommended in the San Francisco Facilities Plan, consolidation is recommended to increase economic, energy, and space efficiencies.

14-4 The new State office building under construction on Van Ness and McAllister is scheduled to house the Public Utilities Commission and will not affect the list of State agencies that potentially would be compatible for consolidation into the proposed Golden Gate Building.

14-5 Although precise space utilization and allocation has not been determined at this time, Hastings estimates that upon initial occupancy 30-50 percent of the building would be educational use that consists of conference and/or seminar rooms with some administrative office space.

14-6 Please see response 7-10.

14-7 Please see response 10-5.

14-8 The KGO Building was gifted to Hastings in December 1985. Hastings has retained consultants to study how this property might best be used. It is clear that this specialized telecommunications facility will not meet Hastings' objectives for the proposed project. However, no plans for the KGO Building will be made until the consultant report is received and evaluated.

14-9 Please refer to response 14-8.

14-10 Hastings has requested legislative approval for an initial reduction in enrollment of 50 students. The total reduction over 5 years will be 300 students.

Hastings programmatic growth will more than offset any decline in student enrollment over the next five years. Planned programmatic expansion includes graduate education in taxation and other disciplines, a bio-ethics program in cooperation with the University of California at San Francisco, education programs for the Bar and the public, a broadened public research effort and additional clinical instruction. The net result will be an increase in the need for space by Hastings.

14-11 Please refer to response 14-10.

14-12 Generally, the term "governmental space" as used within the context of the project means space used by a unit of government as a tenant. The State of California is interested in interim leasing of governmental office space in the proposed project because this would allow the State to meet its goal of consolidating employees in a single building. The State has found it is more economical to house many State employees in one building than to have employees dispersed in many small offices.

14-13 Detailed cash flows and economic feasibility reports will be prepared if the project is approved. CEQA does not mandate that speculative answers to speculative questions concerning possible financial scenarios be provided in an EIR.

14-14 Hastings has the constitutional and legislated responsibility for educating and providing professional training for its students. This function becomes more expensive each year and it is Hastings' obligation to plan for adequate funding in the future from a variety of sources.

14-15 Please refer to response 14-13.

14-16 Please refer to response 14-13.

14-17 Please refer to response 14-13.

14-18 Please refer to response 14-13.

14-19 Comment noted. This comment suggests that local land use controls and zoning are applicable to the project's approval. Hastings does not agree. Moreover, comments and responses to comments within the context of an EIR process is an inappropriate forum to resolve this jurisdictional issue.

14-20 The "probable primary user" refers to various agencies of the State of California, including Hastings.

14-21 Comment noted. Examination of alleged policy implications of the decision by Hastings College of the Law Board of Directors to include educational and interim consolidated governmental office space in its proposed project is a Board function and not within the scope of CEQA or the State CEQA Guidelines.

14-22 Comment acknowledged. The proposed project relates only to Hastings College of the Law.

14-23 Please see response to comment 7-10.

14-24 Please refer to response 14-8.

14-25 Hastings makes no claim as to site size or building size. The City and County of San Francisco interpretations are offered for convenience, not for purposes of exemption or best case analysis.

14-26 The areas "applicable" plus the areas "excluded" would generate a total of 233,480 square feet.

14-27 FAR differs from jurisdiction to jurisdiction. Many cities do not count underground parking. If underground parking is excluded, the FAR would be 4.4.

14-28 This comment represents the opinion of its author and does not address the issue of compliance with the California Environmental Quality Act.

14-29 RM - room
PRE-MTG. - pre-meeting
M - men's restroom
W - women's restroom
MAINT - maintenance
FR - furnace room
FC - front closet
K - kitchen
STOR - storage
T - telecommunications conduit
E - electrical
HC - handicapped parking space
SC - subcompact parking space
MECH - mechanical equipment

14-30 This terminology was developed on the basis of the map contained in the City of San Francisco Civic Center Plan. This map describes four broad activity categories in the Civic Center area and outlines a "core area." The proposed project site is included as part of the Civic Center, but is outside the "core area." This project is consistent with uses allowed in the City of San Francisco north of Market Street Plan and the related Environmental Impact Report prepared for the City of San Francisco, which references were used in the preparation of this Final EIR.

The project site is not zoned Public. According to a comparison of this map with zoning regulations, other blocks are zoned Public, but are outside the "core Civic Center area." It therefore appears that a definition of the Civic Center area and "core area" is not dependent on San Francisco zoning categories.

14-31 According to the Downtown Plan EIR, the office space in the C-3 District was approximately 62.1 million gross square feet in 1984. (Page IV.B.17, Downtown Plan EIR)

14-32 Since this comment is both a conclusion and an opinion of the author, no response is appropriate.

14-33 While this comment is a conclusionary statement rather than a question about the adequacy of the EIR, it should be pointed out that the proposed project would have retail, restaurant, and educational uses on the ground floor and educational and interim governmental office uses on the upper floors.

14-34 This comment represents the opinion of the author and does not address the issue of compliance with the California Environmental Quality Act.

14-35 As shown in the shadow diagrams on pages 38-41 of the Draft EIR, most of the north side of Golden Gate Avenue is in existing shade during the winter months. For the rest of the year, this stretch of Golden Gate Avenue is sunny, except for mornings during the fall months when it is partially shaded. The south side of Golden Gate Avenue is partially or wholly shaded by existing buildings year round, receiving the least amount of existing shade during the summer months.

14-36 Pedestrian use of the sidewalks on Golden Gate Avenue and Larkin Street is heaviest during the noontime hours; the potential significance of new shadows at this time has been considered as follows:

At 12:00 noon during the spring and fall months, the project will cast newly created shade on approximately one-half of the sidewalk on the north side of Golden Gate Avenue. The project will cast some newly created shade on the sidewalk on the south side of Golden Gate Avenue; however, more than half of this sidewalk is in existing shade at 12:00 noon. By 12:00 noon all shade cast by the project on Larkin Street would have been eliminated.

At 12:00 noon during the summer months, there will be some newly created shade adjacent to existing shadows on the south sidewalk on Golden Gate Avenue. The sidewalk on the north side will not be cast in shade. Newly created shade will be cast on the sidewalk area directly adjacent to the northwestern corner of the proposed project.

At 12:00 noon during the fall months, there will be some newly created shade adjacent to existing shade on sidewalks on both the north and south sides of Golden Gate Avenue and on the sidewalk on the east side of Larkin Street.

At 12:00 noon during the winter months, newly created shade will be cast adjacent to existing shade on the sidewalks on both the north and south side of Golden Gate Avenue. By 12:00 all shade cast by the proposed project on Larkin Street would have been eliminated.

These noontime effects are acknowledged but are not considered significant.

14-37 There will be newly created shadows falling on the Federal Building Plaza. In the early morning hours from September to March, there would be newly created shade on a small portion of the southeastern corner of the Federal Building Plaza. During the month of December, these shadows would be at their maximum, lasting until 10:30 or 11:00 a.m. on December 21. These shadows would not be significant since they would cover a minimal part of the Plaza. In addition, there is no seating in the portion of the Plaza that would be shaded.

14-38 The location of the proposed open space is currently shaded by existing buildings at 10:00 a.m. and 3:00 p.m. throughout the year. The location is not shaded at 12:00 noon during the spring months, is partially shaded at 12:00 p.m. during the summer and fall months, while the northwestern corner is in existing shade at 12:00 noon during the winter months.

The proposed project would not cast newly created shade on the proposed open space plaza.

14-39 While it is acknowledged that the shadow diagrams require concentration in order to read them, the diagrams already show the shadowing on the project's own open space.

14-40 Please refer to response 14-36.

14-41 According to the Downtown Plan EIR, there are 993 C-rated buildings in the C-3 District (Downtown Plan EIR Appendices, Table E.3, pages E.8-E.39). Of the C-rated buildings, 18 were demolished between 1979 and October 1982 (Downtown Plan EIR Appendices Table E.4, page E.50). At the time of preparation of this Final EIR, no data was available as to the number of C-rated buildings demolished, or approved for demolition since these references were compiled (per telephone conversations with Jonathan Malone, Landmarks Preservation Advisory Board and Chris Nelson, San Francisco Heritage Foundation, July 10, 1986). At the rate of disappearance from 1979 to October 1982, all C-rated buildings in the C-3 District would disappear in 193 years. The proposed project would contribute to the demolition of one C-rated building, an impact that is not significant in light of the number of C-rated buildings remaining in the C-3 District and in light of the rate of demolition.

14-42 Hastings recognizes that residential hotels are being converted into tourist hotels and other types of uses. However, structures on Lots 12 and 14 are not residential hotels and have not functioned as residential hotels since 1978. Therefore, while there may be an ongoing loss of residential hotels in the City of San Francisco, and the cumulative impact of the loss of residential hotels may be significant, the proposed project lends nothing to those cumulative impacts since the buildings in question have been vacant for eight years. Buildings which had former uses cannot be considered still providing that use. Consequently, while the continued loss of residential hotels is acknowledged, Hastings does not believe that a discussion of the cumulative effects of those losses belongs in the Golden Gate Building EIR.

14-43 Please refer to response 14-41.

14-44 Hastings understands "tiering" as it is described in the CEQA Guidelines, Section 15152. This approach is undertaken by the lead agency when it is in total agreement with the policy or program which initiated the previous EIR. Hastings is using the Downtown Plan EIR as a reference document, not as a basis for Hastings policy with respect to the project. Hastings neither intends to "tier" its EIR nor does it accept the Downtown Plan as the governing policy within which the Golden Gate Building must be approved.

14-45 Hastings distinguishes between an "EIR" and a "plan." A plan is an action document with policies that govern and programs which implement. An EIR is a disclosure document which offers information and nothing more. Hastings uses the Downtown Plan EIR as a data base and reference document which is available for other lead agencies to use as well. Hastings does not recognize the Downtown Plan, however, as a policy document on the governing approval of the project.

Consequently, as CEQA provides, an EIR is done on a plan before the plan is adopted. The City and County of San Francisco prepared the Downtown Plan EIR before it adopted the Downtown Plan. The Downtown Plan EIR found impacts of the Downtown Plan on the environment and it therefore imposed mitigation measures. The mitigation measures were suggested as a result of the Downtown Plan EIR, not before the EIR was written.

Accordingly, Hastings accepts the Downtown Plan EIR as a data base, but does not necessarily accept the mitigation measures which the City and County of San Francisco elected to impose on downtown development. For the Golden Gate Building's cumulative effects, Hastings proposes its own mitigation measures. Using a data base that was prepared before any mitigation measures were generated does not disqualify that data base as otherwise useful, reasonable, and meaningful even if the mitigation measures which resulted from it are not used.

14-46 Of the various agencies that potentially would occupy the Golden Gate Building, an ongoing travel survey conducted by the California Department of General Services is available for State agencies. The commute profile of State employees is as follows: Drive Alone - 33.1 percent; Carpool - 18.4 percent; Bus - 39 percent; Walk - 5.9 percent; Bicycle - 0.7 percent; and, Other - 3.0 percent. The residence patterns of State employees is similar to the pattern of Management/Technical office workers in the C-3 District (Table I.1, page I.37 in the Downtown Plan EIR Appendices). The rationale for the transportation analysis is explained on pages 54 to 59 of the Draft EIR and in Appendix C of that document.

14-47 An alternative of placing the building at the Oakland BART station is not reasonable and would not attain Hastings' objectives of providing adjacent space for educational use and interim space for consolidating governmental use.

14-48 The information was gathered from an interview with the parking lot attendant on November 29, 1984, as indicated in footnote #4, page 66.

14-49 The State of California will initiate a TSM program that is outlined on page 65 in the Draft EIR, which includes: a) ridesharing programs; b) parking management programs; c) work hours programs; d) transit services; and e) bicycle parking.

14-50 There are anticipated to be a number of garage users, including students, faculty, office employees, people conducting business within the office, and other visitors of the office tenants. Hastings is committed to operating the garage using a progressive pricing structure that favors short-term over long-term use and commits that no less than 25 percent of the spaces will be marketed for short-term users.

14-51 The parking survey referenced in footnote #10, pages 59 and 67, was conducted by Jefferson Associates on November 27-29, 1984, between 10:00 a.m. and 3:00 p.m. for an area within a one-quarter mile radius of the project site. The survey was taken during what is considered to be the peak demand for parking spaces near the proposed project. The survey was conducted on foot and consisted of counting the number of unoccupied spaces out of the total number of on-street and off-street (garages and surface parking lot) spaces within the survey area.

14-52 Comment noted. The revised paragraph is incorporated into the Final EIR as follows:

"The San Francisco Downtown Plan EIR estimated there was a demand of 45,300 parking spaces in the C-3 (Downtown Commercial) district in 1984. The figure represents 94 percent of the short-term parking demand, while representing 25 percent of the equivalent daily demand, is about 65 percent of the daily vehicle travel. This equivalent daily demand leaves a balance of 6 percent of the parking supply vacant. However, variations in short-term demand may cause temporary localized overloads of parking facilities within certain areas of the downtown area while parking may be available at other locations within the City."/5/

14-53 Projections per Muni have been developed in the Downtown Plan EIR on a corridor rather than a line basis. They are presented in Table IV.E.2 of the Downtown Plan EIR.

14-54 The modal splits used in conducting the impact analysis are those recommended by the San Francisco Office of Environment Review and came from the 1983 C-3 Employee Survey. They bear no direct relationship to the Downtown Plan EIR mitigations. This point is made on page J.17 in the Downtown Plan EIR, Appendix J. "The future capacities do not include most of the transit improvements that are included in the Downtown Plan."

14-55 The trip generation factor for the number of trips per commercial facilities typically reduces according to the size and number of patrons the facility can serve. The restaurant now on the project site is larger (7,300 square feet) than the proposed restaurant (5,000 square feet). Therefore, it is anticipated that the transportation demand caused by the new restaurant will be slightly less than that generated by the existing restaurant.

14-56 Hastings used Downtown Plan EIR data -- as well as other data -- for determining cumulative effects. Hastings believes that the Downtown Plan EIR is the best source for determining cumulative effects in the project area.

There are two ways in which CEQA permits a projection of cumulative impacts:

"(A) A list of past, present, and reasonable anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted general plan or related planning document which is designed to evaluate regional or areawide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency;" [California Administrative Code, Title 14, Section 15130(b)(1).]

Hastings used the Downtown Plan EIR as a data resource in order to meet the second option. The responses to comments about the data and data sources that were used amplify the reasons for Hastings' decision.

14-57 The Draft EIR assumes 2.7 persons per carpool and 12 persons per vanpool, similar to the existing persons per vehicle factors used in the Downtown Plan EIR. As such, the persons per vehicle factors do not account for further possible reductions in vehicular traffic than might occur due to enactment of the recommended TSM mitigation measures.

14-58 Most of the capital facilities recommended in the Downtown Plan, and listed as mitigation in the Downtown Plan EIR, are progressing as scheduled in the various transit district improvements programs. Most of the Muni facilities were highly ranked in the recent MTC regional transportation facilities program (Fiscal Years 1987-91). The MTC program was scaled back in line with federal cutbacks. The facilities include:

**Muni**

| | | | |
|---|---|---|---|
| o | Muni Metro to 4th and Townsend | - | Is progressing as planned. Has received MTC approval as part of the I-280 transfer program. |
| o | Construct Muni Turnaround | - | Is progressing on schedule. Has received Section 3 monies for engineering plans. |
| o | Build J-Line Connection | - | Final engineering is complete and ready to go for procurement. UMTA has yet to allocate funds. |
| o | Fund "Vehicle Plan" described | - | Progressing as scheduled. Muni received nearly one-half of the Bay Area's recent UMTA Section 9 (Replacement of Capital Facilities) funds. Approximately $150 million worth of Muni capital facilities received a high priority ranking by the MTC. |
| o | Build Market Street Thoroughfare Program (F-Line) | - | Approved by MTC for funding in the next 2 to 3 years. |

o Build Embarcadero Line (E-Line) - This project was linked to the removal of the Embarcadero Freeway. Voter disapproval of the removal of the freeway will cause some re-analysis of the E-Line.

(All information on Muni was provided by Gail Bloom, San Francisco Public Utilities Commission, on June 10, 1986.)

**BART**

o 150 "C" Cars - Ordered; being tested; delivery to begin in a year.

o Daly City Turnback - Under construction.

o Central Computer Control - In design.

o Third track in Oakland - Completed.

o Extension to S.F. International - Has been further studied under Airport the "SCR" 74 Study. Future still uncertain.

o Extension to North Concord - Soon (Summer 1986) to be studied as part of UMTA Alternatives Analysis; Contra Costa County voters will likely vote in November 1986 on .5% sales tax to help fund this project.

o Extension to Warm Springs - Soon (Summer 1986) to be studied as part of UMTA Alternatives Analysis.

**Caltrain, Sam Trans, Golden Gate** - Facilities purchases progressing according to MTC regional funding priorities.

14-59 The project will adopt a TSM program that is similar to other office developments in San Francisco. It will also set parking rates that favor short-term parking as suggested in the Downtown Plan. The project will not pay the Transit Development Impact Fee (Ordinance No. 224.81) because of State exemption from the payment of such local fees.

14-60 The survey will be used primarily for two purposes:

1) to determine how best to provide transit services to employees of the building (e.g., to match carpool/vanpool riders, to determine who needs Muni passes); and

2) to determine the effectiveness of the TSM program. A more aggressive program could be initiated if some of the anticipated transit uses are not achieved.

14-61 Hastings distinguishes between an "EIR" and a "plan." A plan is an action document with policies that govern and programs which implement. An EIR is a disclosure document which offers information and nothing more. Hastings uses the Downtown Plan EIR as a data base and reference document which is available for other lead agencies to use as well. Hastings does not recognize the Downtown Plan, however, as a policy document on the governing approval of the project.

Consequently, as CEQA provides, an EIR is done on a plan before the plan is adopted. The City and County of San Francisco prepared the Downtown Plan EIR before it adopted the Downtown Plan. The Downtown Plan EIR found impacts of the Downtown Plan on the environment and it therefore imposed mitigation measures. The mitigation measures were suggested as a result of the Downtown Plan EIR, not before the EIR was written.

Accordingly, Hastings accepts the Downtown Plan EIR as a data base, but does not necessarily accept the mitigation measures which the City and County of San Francisco elected to impose on downtown development. Using a data base that was prepared before any mitigation measures were generated does not disqualify that data base as otherwise useful, reasonable, and meaningful even if the mitigation measures which resulted from it are not used.

14-62 Comment is noted. The Final EIR hereby omits this paragraph.

14-63 The modal splits used in conducting the impact analysis are those recommended by the San Francisco Office of Environmental Review and came from the 1983 C-3 Employee Survey. The modal splits bear no direct relationship to the Downtown Plan controls.

14-64 An alternative of placing the building at the Oakland BART station is not reasonable and would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use. For these reasons, air quality impacts that would occur under such an alternative will not be examined.

14-65 The proposed project, like the new State building on Van Ness Avenue would meet or exceed standards in Title 24 of the California Administrative Code.

14-66 According to the San Francisco Department of City Planning, the office vacancy rate in the downtown area was 15 percent as of May 1986 (San Francisco Office Development Limitation Program, Departmental

Recommendations and Response to Comments, May 5, 1986). Coldwell Banker reported an office vacancy rate of 15.7 percent for downtown San Francisco for the first quarter of 1986.

14-67 A list of State agencies that potentially would be compatible for consolidation into the proposed Golden Gate Building is given in Table 4 of the Final EIR, Responses to Comments. As used in the Draft EIR, the term educational workers refers to those persons currently working in the educational building on-site and/or persons working for Hastings College. The term governmental employee refers to those persons presently working in and for a governmental agency.

14-68 A list of State agencies that potentially would be compatible for consolidation into the proposed Golden Gate Building is in the responses to comments. These agencies are in San Francisco in buildings located at 185 Berry Street, 235 Montgomery Street, 631 Howard Street, 2351 Powell, 301 Junipero Serra, 30 Van Ness, 1390 Market, 1700 Montgomery, 2095 Jerrold, 1 Hawthorne, 939 Market, 100 Van Ness, 2720 Taylor, 2340 Irving, 3330 Geary, 1855 Folsom, 3425 Army Street, 595 Market Street, 10 UN Plaza and 350 Sansome. A decision as to which agencies would potentially be relocated would require an examination and determination of the agencies' space requirements. In the event that State agencies would be unable to occupy space in the proposed building, Hastings would lease space to other governmental agencies that are also currently in dispersed San Francisco locations.

14-69 Please refer to response 6-3.

14-70 Please refer to response 6-3.

14-71 Please refer to page 96 of the Draft EIR and response 6-3.

14-72 Please refer to response 7-1.

14-73 Table 15 on page 99 of the Draft EIR is actually a comparison of the proposed project with major amendments to the city planning code to implement the Downtown Plan. Certain comparisons have been explained further in the responses to comments, such as recreation/open space and sunlight access to public sidewalks. The San Francisco Planning Code requires 0.1 off-street loading spaces per 10,000 square feet of gross floor area (gfa). According to this, the proposed project would need 1.6 off-street loading spaces (160,500 gsf office area at 0.1 space/10,000 square feet of gfa). The proposed project will provide 2 off-street loading spaces.

14-74 Child care, open space, public art or transit impact fees are imposed by the City and County of San Francisco upon development within its jurisdiction. Hastings is an agency of the State of California and, like other State agencies, is excluded from local planning and zoning laws.

14-75 Please refer to response 14-74. In addition, the City and County of San Francisco recognize that the Office Affordable Housing Production Program does not apply to a governmental building per Section 1360(c)(2)(C) of the program (OAHPP August 18, 1985).

14-76 The proposed project would include 67,030 gross square feet of parking, an amount that is over 7 percent of the gross square footage of the building. According to Section 158 of the City Planning Code, 51,130 gross square feet of the project parking would be considered a "Major Parking Garage."

14-77 Hastings used Downtown Plan EIR data -- as well as other data -- for determining cumulative effects. Hastings believes that the Downtown Plan EIR is the best source for determining cumulative effects in the project area.

14-78 Please refer to response 7-1 and 7-7.

14-79 Please refer to response 14-21.

14-80 Shadow impacts are analyzed on pages 35-37 of the Draft EIR and in various responses to comments.

14-81 This comment is a conclusionary statement and is so noted.

14-82 An alternative of placing the building at the Oakland BART station is not reasonable and would not attain Hastings' objectives of providing adjacent space for educational use and interim space for consolidating governmental use.

14-83 Please refer to response 14-8.

14-84 Non-building alternatives to generate financial benefits are not feasible to attain Hastings' objective of providing space for educational use and interim space for consolidating governmental use. The implementation of other alternatives to generate financial benefits to Hastings students would be speculative and could not be used to evaluate the comparative merits of the proposed project and the other alternatives considered in the Draft EIR.

14-85 Comment and suggestion are noted.

OUNCIL OF COMMUNITY HOUSING ORGANIZATIONS
9 CLAYTON STREET, SAN FRANCISCO 94117 (415) 863-6566

RECEIVED
APR 23 1986
[illegible]

Office of the Dean,
University of California,
Hastings College of Law,
200 McAllister St.
SF Ca 94102

23 April 1986

Dear Madam/Sir:

The Council of Community Housing Corporations (CCHO) finds the Draft Enviornmental Impact Report (DEIR) on the proposed Golden Gate office building both incomplete and inaccurate. Most distressing from CCHO's point of view is the incomplete discussion of the projects housing impacts and the total unwillingness of Hastings to address housing mitigation requirements placed on all other office developer in the City.

We urge Hastings to revise the DEIR, correcting its serious shortcommings and reconsider, in the light of these revisions, if the harmful and unaviodable impacts of this project makes it construction useful to the community or the University.

INACCURATE AND INCOMPLETE INFORMATION

a. While the DEIR asserts repeatedly that the 160,530 sq.ft. proposed office
development will house "educational and governmental" uses no such uses are 15-1
specifically described nor their location in the project noted. Moreover,
the DEIR is silent on how such uses are to be maintained over time since no
binding language is proposed to limit the office uses to these catagories.

b. In the Setting section dealing with land use and zoning, nor in anyother
section of the DEIR is there any discussion of the Downtown Plan, the 15-2
Institutional Master Plan, the Office Affordable Housing Production Program, 15-3
the childcare, open space, public art or tansit impact fees all of which are 15-4
legal requirements placed on commercial office development in San Francisco. 15-5
While a rather bald assertion is made that Hastings is exempt from these
requirements, such an assertion does not mean that the project itself will
not have impacts in these areas. How the project will address these impacts,
which the City and County of San Francisco has found all other commercial
office projects to have, is not made clear at all in the DEIR.

c. The DEIR is woefully inadequate and therefore incomplete in the
discussion of the cumulative impacts this project, especially if it will not 15-6
provide childcare, housing, transit and open space mitiagtion, will have
when associated with other commercial office projects in the area and the
City. This crucial area must be addressed. What is Hastings itself
planning for the KGO building? What impacts will this project have on it
and it on this project? What other state agencies have plans for office 15-8
buildings in San Francisco? Will this project change such plans. Will the
new state office building some four blocks away from this site fulfill the
need for "governmental" office space? What of the City's current high 15-9
vacancy rate in commercial office space? Will that vacacncy rate mean that
the office need projected for this building could be more cheaply met by 15-10
this space? These and other questions relating to the cumulate aspects of
this development leap out, unanswered from this DEIR.

HOUSING IMPACTS NOT MITIAGTED

CCHO is extreemly concerned about and critical of the DEIR's analysis of housing impacts. At issue are three distinct, but closly interrelated housing issues: the preservation of existing affordable housing; loss of opportunity to create additional affordable housing ; the failure of Hastings to follow the requirement of the OAHPP housing mitiagtion ordinance which CCHO has long supported.

First, the demolition of two residential hotels reduces the Citys scarce 15-11
affordable housing stock and is in direct violation of the City's Resident 15-12
Element of the Master Plan and the Residential Hotel ordinance. Not a word
of these facts is even mentioned in the DEIR. 15-13

Second, the DEIR fails to include a detailed "all housing alternative" to 15-14
the proposed project or to describe how Hastings intends to comply with a
court order (if upheld) to provide 375 housing units once it has used the 15-15
project site which could be used for that replacement housing. This failuyre is important given the fact that such site in the area are hard to find and since, as detailed below, Hastings asserts that the OAHPP requirement on new office construction in San Francisco does not apply to this project.

Third, and for CCHO, most important, the DEIR asserts with no supporting evidence that somehow, unlike evry other office project in San Francisco, this office project will not produce a need for new housing. Indeed, time and again the City Planning Commission has found that **"...there is a causal connection between [office] developments and the need for additional housing affordable to households of low and moderate income."** (Planning Code Section 313(b) ). The totally unsupported assertion that this project will be 15-16
staffed only by existing workers and will not result in even one new person being employed ignores the fact that the office space vacated by these employees will be filled by other workers who will need housing. The DEIr lays out no employment screening process which will limit employment in the project to only existing office workers, nor does it lay out any such controls on the vacated office buildings. Failing to do so there can be no reason to assert that only existing workers will work in this building.

The DEIR must show how this building aviods housing impacts that all other 15-17
office projects have had on our City. Failing to do so as this DEIR does,
means that the DEIR should address the manner in which these unaviodable 15-18
housing impacts are to be mitigated (which is not done) and why the project
should not come under the OAHPP requirements of providing either 62 dwelling
units, 62% of which must be offered at prices affordable to low and moderate 15-19
income households or contributing $857,230 to the City's Affordable Housing
Fund.

In our view, the failure of the DEIR to discuss these critical housing issues alone would make it incomplete and inaccurate. But when this massive failure is added to the failure to address the other concerns raised above, it is clear to us that the project sponsors have an incomplete picture of the enviornmental costs of this project, costs which are so sever and unaviodable as to make the project unsupportable by rational educators concerned with the future.

Sincerely,

Calvin Welch,
Member,
CCHO Executive Committee

**Responses to Comments from the Council of Community Housing Organizations**

15-1 Although precise internal space utilization and allocation has not been determined at this time, Hastings estimates that upon initial occupancy 30-50 percent of the building would be educational use. It is anticipated that educational uses will occupy part of the ground floor while both educational use and governmental office space will occupy the upper floors. The ratio of non-educational, governmental space to public educational space may change over time.

15-2 On page 99 of the Draft EIR, the proposed project is compared to Amendments to the San Francisco City Planning Code to Implement the Downtown Plan. Such a comparison is more meaningful than comparing the project to the Downtown Plan because adoption of the Downtown Plan by local governing bodies culminated in several changes to the San Francisco Planning Code.

15-3 Please see response 7-10.

15-4 Please refer to response 14-75.

15-5 Please refer to response 14-74.

15-6 Additional examination of cumulative impacts is provided in various responses to comments.

15-7 Please refer to response 14-8.

15-8 No other State agencies have plans for office buildings in San Francisco at this time.

15-9 The new State office building on Van Ness and McAllister will house employees of the Public Utilities Commission and will not affect the list of State agencies that potentially would be compatible for consolidation into the proposed Golden Gate Building.

15-10 The proposed Golden Gate Building is attractive to the State because the State would receive a long-term, flat rate lease that would be more economical than receiving a short-term lease.

15-11 Hastings recognizes that the City of San Francisco has policies designed to preserve the existing stock of affordable housing; however, the structures on Lots 12 and 14 are not part of the existing housing stock because those portions of the structures that were formerly used as residential units have not been inhabited since 1978. Please see response 1-5, also.

15-12 The Residence Element of the Comprehensive Plan of the City and County of San Francisco (June 28, 1984) is designed to preserve the quantity, quality, and affordability of existing housing (page vii). This element is not relevant to the proposed project because there is not an existing housing stock on the project site. Please refer to response 1-5.

15-13 The Residential Hotel Unit Conversion and Demolition Ordinance is not relevant to the proposed project because there is not an existing housing stock on the project site. Please refer to response 1-5.

15-14 An alternative of providing all new housing on the site would not attain Hastings objectives of providing space for educational use for and interim space for consolidating governmental use. Please refer to response 1-5 and McKeon v. Hastings, 185 Cal. App. 3d 877 (1986).

15-15 This comment does not pertain to the proposed project. The comment refers to litigation connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

15-16 Please refer to response 6-3.

15-17 The proposed project is different from most other office development in that the project would involve relocation of governmental agencies from dispersed locations throughout San Francisco and would not involve bringing employees new to San Francisco into the building.

15-18 Since the proposed project will not impact housing, there is no need for mitigation measures.

15-19 Please refer to response 15-4.

HERITAGE

THE FOUNDATION FOR SAN FRANCISCO'S ARCHITECTURAL HERITAGE

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rmaine Q Wong
queline Young

rk P Ryser
Deputy Director

April 23, 1986

Office of the Dean
University of California
Hastings College of the Law
200 McAllister St.
San Francisco, CA 94102

Attn: Patricia Dolter

Dear Ms. Dolter,

The Foundation for San Francisco's Architectural Heritage has reviewed
the Golden Gate Building Draft Environmental Impact Report and found
it deficient in several respects. Our basic concern is that the EIR
does not address the issue of an institutional Master Plan for 16-1
Hastings as required by Section 304.5 of the Planning Code. It is
only within the context of such a Master Plan that the present
proposal for a new building on Golden Gate Avenue should be
considered.

The EIR is also inadequate in that it does not offer an adequate 16-2
preservation alternative to the proposed demolition of 361-65 Golden
Gate Avenue, a C**-rated building designed by Salfield and Kohlberg
and built in 1907. A C**-rated building is one which would have a B
rating if certain alterations were reversed.

If you have questions or if Heritage can provide further information, please let me know.

Sincerely,

Mark Ryser
Deputy Director

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APR 23 1986
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2007 FRANKLIN STREET • SAN FRANCISCO, CALIFORNIA 94109 • (415) 441-3000

## Responses to Comments from the Foundation for San Francisco Architectural Heritage

16-1 Please refer to response 15-5.

16-2 An alternative of preserving the C-rated building would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use. This alternative does not offer Hastings a reasonable choice when compared to other alternatives.

[illegible]

OF CALIFORNIA

E AMERICAN HERITAGE COMMISSION
apitol Mall, Room 288
mento, California 95314

322 7791

APR [illegible] 86

April 4, 1986

Tricia A Dolter
City of San Francisco
200 McAllister St
San Francisco CA. 94102

Re: Golden Gate Building
SCH# 85021912

The Native American Heritage Commission appreciates the opportunity to express its concerns and comments in the environmental review process. As you may know, the Commission is mandated to preserve and protect places of special religious or cultural significance to California Indians (Native Americans) pursuant to Section 5097 et seq of the Public Resources Code.

The Commission has the further responsibility of assisting Native Americans in 17-1 cemetery and burial protection pursuant to Section 5097.94(k) of the Public Resources Code. We request that the County Coroner's office be contacted if human remains of Native American origin are encountered during the project, pursuant to the procedures set forth in Section 7050.5 of the Health and Safety Code. Should this occur, the Commission will assist in expediting the preservation and protection of the remains in a respectful manner.

We request that you consult with the local Indian community in this project area 17-2 in order to mitigate potential impacts to burial sites and other cultural resources of value to their particular tribal customs. I have enclosed a listing of those individuals and/or groups who can be of assistance to you themselves or in suggesting those in the local community which may have concerns regarding this project area.

This information is provided to assist you in addressing the cultural heritage concerns of the appropriate Native American communities, and as such, the enclosed references are for agency use only and not to be considered a public disclosure. This information may not be released, distributed or reproduced in any form without the prior written permission of the Native American Heritage Commission.

If you have any questions please contact me for further assistance.

Sincerely yours,

Annette Ospital
Special Assistant

AO:jg

Enclosure(s)

**Responses to Comments from the State of California Native American Heritage Commission**

17-1 This request will be honored.

17-2 As part of the preliminary archival research, the archaeologist contacted members of the local Indian community. During the process of conducting additional research, the archaeologist will contact the local Indian community, if necessary.

## PROCEEDINGS

Mr. Etienne: Ladies and gentlemen, I ask you to come to order, please.

Can I ask you to come to order, please?

Ladies and Gentlemen, today we are going to conduct a hearing on the draft environmental report with relation to the office structure that is the subject of that report, and I want to give everyone a full opportunity to express his or her views on the draft environmental report.

I'm going to ask you to keep your comments to five minutes, if you can. But there is no limitation there. If you feel like you need to speak for a longer period of time than that, that's all right.

I'm just asking you as a matter of courtesy to your fellow speakers to try to keep your comments direct and to the point and address the environmental issues.

Now, I want to outline just what the purpose of this hearing is. When the project was first considered under the law, it is important and required to prepare a Draft Environmental Impact Report which goes into and discusses the various environmental impacts of the project, and that's this document which many of you have seen.

As part of that project, we want to hear--and it is also required, that people having had comments on the environmental impacts which are discussed in the report. And you may have in your mind thoughts impacts which are not discussed in the report. I you do that, we would like to hear about those also.

If someone who has preceded you has made a point, I'd very much appreciate your saying I agree with Mary Jones or Henry Brown so that we don't have to hear the same argument several times.

If you have a different view of the previous subject, of course, don't hesitate to express it.

I am going to ask each of you who have not already done so to fill out one of these cards; and if you would print so I can read your name, I would appreciate that. And if you are representing an organization, well put that on the card also.

And if you can do so, I'd appreciate your listing the environmental issues you intend to discuss, but that's not required either.

I think that more or less covers our procedure today. I have received a list of speakers from the North of Market Planning Coalition. And if it's all right with all of those present here, what I would like to do is give that organization the opportunity to present their list of speakers; and then if there are those among you who are not included among that list of speakers, I've asked my friend Bob here to give me those cards. And I'll call on the individuals who are not involved in the North of Market Planning Coalition presentation to express their views.

Mr. Feeser, are you here, sir?

Mr. Feeser: Yes, sir.

Mr. Etienne: Would you please proceed with your introduction.

One more thing while I think of it. When you come to the microphone, would you be so kind as to give your name; and, as I said, if you represent an organization, also express that so we know who you are representing, if you are representing someone. All right, sir, would you proceed.

Mr. Feeser: Thank you

My name is Donald Feeser. I am the president of the North of Market Planning Coalition.

The North of Market Planning Coalition has over six hundred members. They have a twenty-one member board of directors. The board and the membership reflects the neighborhood.

One of the roles of the North of Market Planning Coalition is to bring together organizations and individuals to help plan the physical, economical, social and recreational part of the community.

My main concern here, and the North of Market Coalition, is that with the new office building that Hastings has proposed is going to have a tremendous impact on our neighborhood, and I will list some of our concerns.

First, I want to comment on something that I'm sixty years old. I was raised one way. I was raised the golden rule was do unto others as you would have others do unto you. But Hastings seems to have a new concept, that the golden rule is those with the gold make the rule.

Mr. Etienne: I don't mind if you applaud. That's perfectly all right, but let's not stamp on the floor. If you want to express approval, that's okay. But remember there are a number of people who have to speak today. Thanks very much.

All right, go ahead.

Mr. Feeser: One of our, and I would list it number one, is a loss of affordable housing. 18-1

Now, affordable housing in San Francisco is as scarce as pigeon eggs. In the Tenderloin we have mostly subsidized people. We have handicapped people. We have disabled people. We have people unemployed--unemployed. We have the homeless. We have ethnic groups where housing is at a premium.

Another major concern is the displacement of neighborhood business.
Now, for our neighborhood to function, we need businesses relating to the 18-2
neighborhood.

Another concern would be the effect of the residential land use two or 18-3
three blocks away from the commercial property. It will cater to the federal
building. It will cater to State employees. It will not be actually for the
neighborhood. The increasingly demand for Muni. Muni is overtaxed now. 18-4
There is more and more riders for Muni. The increased traffic flow, traffic 18-5
is almost at a gridlock now. If it increases anymore, it's not even
realistic.

It would block out sunshine, which is very precious to us here in the 18-6
Tenderloin. It would help to shade the Federal Plaza. It would increase 18-7
office vacancy, which I think is seventeen-seventeen percent now. It would 18-8
take people out of other offices and bring them into our neighborhood. 18-9

The main point that I want to press--or impress on you is th total disregard Hastings has for the economical--or the environmental, economical and sociological impact it has on our neighborhood.

Now, Hastings does not have a good reputation in our neighborhood, and 18-10
this is historically speaking. And we are here to address those problems.

Now, I would like to take the opportunity to introduce the next speaker. The next speaker is Assemblyman Art Agnos, who has been very involved with us and has worked with us in the neighborhood.

Assemblyman Art Agnos.

Mr. Agnos: My name is Art Agnos, and I represent this area in the State
Assembly. I am here to protest the very existence of this project. I think 19-1
that it is something that adds to what I believe to be the growing reputation
of this institution as a rogue institution in this neighborhood. 19-2

If you look up the definition of "rogue," it is vicious and destructive. And that, I think, is what has characterized the functioning of this institution in this neighborhood with the people that live in it and the people who work in it in the form of small business opportunities. I think if this institution was to get into the for profit business by building a commercial office building under the guise and protection of its constitutional immunity, it must be prepared to suffer the consequences, and that's what my legislation is aimed at doing.

My legislation is going to require this institution, as well as all university properties and institutions around this State; that is, University of California at Davis or any other place where they propose to build for profit facilities at the expense of the local community; I think if you want to do that, you should go to the local authorities and get the same kind of approvals that private developers who do the same kind of things get; that is, provide replacement housing, provide child care facilities, apply for all the other amenities that a city needs when you propose to do damage to the environment that that community is comprised of.

So I would urge that you drop this project. 19-3

I would urge that you appear before the local planning bodies to get their permission and abide by their rules and regulations if you propose to build a for profit commercial building that would be rented out to either government or private enterprise. 19-4

Let me tell you that in the hearing that was held in the State Assembly just this week this issue was raised for the first time in the history of California. It's not the last time, I promise you. We will be having a hearing, according to the committee's wishes, sometime this fall on the whole concept of how a new law will be structured so that any time this university wants to build a for profit building, it must go to the local planning laws. 19-5

In the meantime, I intend to introduce new legislation in the very near future that will limit your bonding ability when you propose to build buildings with government bonds that will be in direct competition with private entrepreneurs who do the same thing across the street. But must meet a whole different set of rules. 19-6

There ought not to be two set of rules, one for the university and one for everybody else, including public institutions but who do not have that constitutional immunity.

So I respectfully urge you to drop this project; or if you decide to pursue it, pursue it within the same system that everyone has to when they go into a profit-making venture like an office building, that you proposed here. And that is to go to the local planning commission and abide by whatever rules they set down. 19-7

Thank you very much.

Mr. Etienne: Thank you.

If it's all aright at this point, Mr. Feeser, I will introduce your speakers so everyone will be able to hear.

Mr. Shaw is next.

Mr. Shaw: I do not know your name.

Would you identify yourself, sir?

Mr. Etienne: Etienne.

Mr. Shaw: I'm sorry.

Mr. Etienne: Etienne, Myron Etienne.

Mr. Shaw: Who do you represent?

Are you on the board?

Mr. Etienne: Yes, I am.

Are you Mr. Shaw, sir?

Mr. Shaw: Yes, I am. But People around have been asking me, are you the only board member here?

Mr. Etienne: Well, I can explain that.

Mr. Shaw: people have asked that--

Mr. Etienne: The purpose of this here is, as I mentioned earlier, is to receive comments by members of public and anyone else who is interested in the project in terms of what the environment impacts are created by this project and on which comment has been made by the draft environment report.

It's merely a hearing to receive those comments, and that's why this is not a full-board hearing and why I have been asked by the board to conduct this particular hearing.

Mr. Shaw: Thank you

Mr. Etienne: Certainly. Would you proceed.

Mr. Shaw: Yes. I want--there are a number of different speakers, and there are a lot of different points that are going to be made. But I do think that, although, I do appreciate your presence here, I do think the fact that you're the only person here for many people in the community is indicative of the attitude they feel that Hastings has, and I'm a graduate of Hastings. And I know that--of the long-standing problems that Hastings has related to the neighborhood for several years, and I have worked in the neighborhood for several years.

And I think that even the flyer which you have probably seen that Hastings put out, where they alleged that you have done all kinds of good things for the neighborhood, tenant services, aid for the elderly and disabled, which, I'm sure you know, is not true. There is simply no evidence at all on that. It has really led to, I think, a really unfortunate image that Hastings now has in the community because of these misrepresentations, as you yourself probably know from your tenure on the board of directors. At one point Hastings had at least either agreed or offered to--to provide the kind of public-interest services for the neighborhood that the community wanted, and they backed out of that. And that hasn't happened. 20-1

And one of the arguments that Hastings has used in order to acquire more space is constantly--is because we need it to assist the elderly. So the elderly in the Tenderloin, and the poor, have been manipulated by Hastings in order to get additional space.

I want to address--I want to address one point of the EIR because I know we have a lot of land use students here, and other speakers will be addressing it.

Your claim regarding the housing is that, number one, the--you didn't displace anybody; number two, you have actually increased the supply of low income housing; and number three, you have stated that the units that are on the two sites: The Eureka and Philadelphia Hotels, which are eighty-five units of low-income housing--those units are uninhabitable, and cannot be rehabilitated. That's from your environmental impact report. 20-2

If anyone who wrote that report had taken the time to go to the records of Bureau Building Inspection at 450 McAllister, they would have read the inspection reports for both hotels. An inspection of both hotels was made in early September 1978 after Hastings had already vacated all the residents of those hotels.

And at that time one of the hotels had no code violations. The other hotel just had some housekeeping violations.

Now we're reading that Hastings says they have to demolish the building, both buildings because they can't be rehabilitated. Well, I think a persistent reading of this says that the units are now in substandard shape. It's because Hastings intentionally demolished those structures.

I would just conclude by saying I hope when you review your EIR and you talk to your comrades, you have them address that point as to why these units are now substandard. Thank you. 20-3

Mr. Etienne: Thank you very much, Mr. Shaw.

Mr. Pollian: Mr. Etienne, I'm Tom Pollian, Director of Litigation for the San Francisco Neighborhood Legal Assistance Foundation. We represent many tenants in the Tenderloin, have for many, many years; and in particular, I'm here to point to the Draft EIR is woefully inadequate its description of its impact on housing in the community. 21-1

To get to the proper perspective, you need to go back fourteen years, to Hastings' last project, the Law Center Project. As a result of the acquisitions of five residential buildings on this same block by Hastings, as part of that project, four hundred ten persons, primarily elderly, poor, disabled, were displaced.

The consequence of that displacement was first off, a lawsuit which was filed in April of 1978, and then finally a judgment against Hastings in July of 1982, which required Hastings to provide three hundred seventy-five units of low-cost housing in the Tenderloin. Hastings has not provided a single one of those units. It has chosen to appeal, and the matter hasn't come before the appellate court yet.

Now, we have this project, the next project in line. And what does it propose to do but demolish the Philadelphia and Eureka Hotels, two Hotels which have stood there for each, approximately eighty years. The Eureka was built in 1906, the Philadephia in 1907.

During those eighty years, those two Hotels provided housing for the elderly, poor and disabled. Probably thousands and thousands of people lived there. If they're demolished, now, that resource is gone.

Mr. Shaw already addressed the EIR statement that it's economically prohibitive to rehabilitate. If it is now, it's no one's fault but Hastings. 21-2

They were in good condition when they were acquired; and if they're no longer in good condition, it's because Hastings allowed them to deteriorate. In addition, it's suggested that it might be better to demolish these than to rehabilitate them and somehow take a different approach providing these three hundred seventy-five units of housing. 21-3

I would suggest that it is preposterous to think that you are going to be able to buy land in the Tenderloin and build new housing at any cheaper rate than you could rehabilitate these two structures. And the problem with the EIR is that it simply provides no information, no analysis as to how the demolition of these two valuable Hotels is going to affect Hastings ability to comply with this court order. 21-4

Thank you.

Mr. Etienne: Thank you, sir, very much.

Could I ask you ladies and gentlemen standing at the door to have a seat. There are seats up there, and there are some right along this row here. We have some fire insurance and other problems. I think we have enough room to accommodate everyone; if not, there is a room with a television set up in there.

Mr. Paul, are you here, sir?

Thank you, please proceed.

Mr. Paul: thank you.

Mr. name, for the record, is Bradford Paul. I am the Director of the North of Market Planning Coalition, and I'd like to address a couple of issues.

Just this first: I know a number of people in the audience haven't read the EIR, and I'm going to be speaking of some very specific issues in the EIR that have not been fully addressed in the EIR, and after that, talk about the issues that we in the community want to see what we are talking about.

Now, in order to understand why this is important, you have to know that Hastings put up a great big EIR, and the conclusion on page 91 and 94 is that the project will not directly or significantly impact the environment.

We contend that it does, and I'd like to go through a number of the areas where we feel the impacts weren't really addressed.

In the area of housing -- this is on page 2, page A2, I believe, 10 and
92 in the EIR. We do not see in there a discussion of the increased demand by 22-1
building an office building the size Hastings is. If Hastings were under
local control, they would have to provide sixty units of housing. They would 22-2
also, under the Hotel Demolition and Conversion Ordinance passed in 22-3
San Francisco in 1980, replaced the eighty-five units they plan to demolish.

In addition to that, we believe they should have to replace the three 22-4
hundred seventy-five units of court ordered replacement housing. None of this

is discussed in the EIR. We want to see the comments and responses before the EIR is certified. 22-5

Parking impacts, this project eliminates, as you can see, one hundred eighty spaces. There is increased off-site demands of a hundred seventy-one spaces.

That means that even after they build parking in the building, people who use the building are going to demand another hundred and seventy-one spaces off on the street and in parking garages around.

The EIR says there are six hundred available spaces within a quarter mile radius. Those of you who go to school here, I think, know there is not six hundred spaces within an easy walk of this campus. But, let's give them benefit of the doubt, even if you accept that figure and make it a little high for usable parking space, they're talking about this off-site demand taking up one-third of what's left for the rest of the city within a one-quarter mile radius. We think that needs to be addressed. That is in the EIR; and, yet, 22-6
they say there is no Muni impacts.

On Muni impacts this project will add a hundred and seven bus passengers at peak hour. And in the EIR itself Hastings states that on the line that serves this project site there are already two thousand four hundred and thirty-one passengers standing. Again, it says this in the EIR, and they say 22-7
there is no significant impact.

Traffic impact, ten to fifteen truck visits per day. I believe this is on the Larkin Street side of the building. This is what it says in the EIR.

If you do the map, which I don't believe is in there; but I did it this morning, you get two hundred and sixty-two daily auto work trips into the building and two hundred and twenty daily auto nonwork trips to the building per day.

And then there's a thing called a PTE. That's a person trip end per day. And that's people going in and out of the building for all kinds of reasons, whether they're walking in and walking out, taking Muni, taking public transit, driving. And it's four thousand seven hundred sixty-six. Nineteen hundred eight are work related, and two thousand eight hundred fifty-eight are non-work related.

Now, shadow impacts. It does say in the EIR that it will shadow the sidewalks on Golden Gate Avenue, but it also talks about shadowing the Federal Building Plaza, and that's there in the EIR. And it's one of the impacts of 22-8
this project.

Now, this is the part I think that should be of the most interest to Hastings itself because one of the assumptions in this project--and this is not addressed in the EIR. When they talk about office vacancy, all they talk about is that there will be nine hundred and ninety people moving in from other Government office spaces into their building bringing up that office space. The frightening thing for Hastings should be how much office vacancy there is right now, which we believe means there is absolutely no need for this building. And if you did build it, you would lose money. 22-9

Instead of making money for Hastings, it would lose money. So the justification is never spoken to in the EIR. 22-10

Just quickly, this is a report I'm holding it up for those taking notes: The San Francisco Office Development Limitation Program First Review Period dated March 20th, 1986. This is Dean Macris' study which says there is no need for office space in San Francisco today for the next three years. What he based his recommendation to the planning commission on when he said we shouldn't approve any of the four office buildings in the so-called beauty contest--what it says in here is that there is a sixteen and a half percent office vacancy rate in San Francisco, and on top of that there is seven and a half million square feet of office space either now under construction or approved. That's fifteen transamerica pyramids. That's what it translates to.

That is the pipeline on top of the sixteen and a half percent vacancy rate.

If you read the papers yesterday--the project that we, the Planning Coalition project that we in the neighborhood fought for years, the Fifth and Market project, was reannounced as a retail project. Now, we said all along that it made no sense to put office space down there. The developer from southern California, Sheldon Gordon, agreed it took two hundred thousand square feet of office space off the project and made it all retail. The reason for that is because he said the office market is dead.

Now, it you look around the immediate area, there are office buildings that have been vacant, new buildings, for many years, across the street on Market Street, over on Van Ness Avenue; and there's new buildings coming on line right now.

Now, If you do read the EIR, what Hastings says in there is that it will be rented to State offices. They will consolidate their offices and move here.

The problem is I don't see--and the developers I've talked to don't see any way that a State institution like Hastings can build new office space and compete with what's out there right now. 22-11

What I'm saying is that if Hastings builds a building, they have to rent that space at a dollar fifty a square foot; and there are people with rehab buildings and new buildings that have been vacant for a couple of years willing to lease them for a dollar a square foot. I don't think those State offices could pay more than the market value to live in this building.

By State, law, they cannot contract with Hastings until Hastings completes construction. They don't have an agreement. Hastings has no agreement with the state GSA or any State office to go into the building. And every developer I have talked to says they won't get one. So, they'll have to compete with the same office tenants once it's build, as everyone else.

And I think from Hastings' point of view, and you should think about this, because if you build a building and it's vacant for four or five years, it doesn't do any good to Hastings financially, either. Then Hastings has to go back to the State for more money to save the programs that you have. 22-12

In the EIR it says that you displace Knight's Restaurant. That's a neighborhood business. How many people have eaten at Knight's? Raise your hands. 22-13

I think we would agree it's a neighborhood-serving business. A lot of people in the neighborhood shop at the Merchandisers Inc., and you can get a high-top pair of sneakers there for about fifteen, sixteen bucks.

The other two businesses, which you may not think of as businesses, are the Eureka Hotel and the Philadelphia. If they were to reopen, a business would operate them; and someone would make a living as a manager. And someone would make a living as a security guard.

Now, I'd like to take a second on community controversy. The EIR just talks about number one. They say the only reason we in the community are upset is because they're going to tear down residential buildings and put up a commercial.

And then they say that the residential buildings are uninhabitable. I won't go over that again because other speakers have addressed it.

But what we know from talking to other people in the rehab business is that those buildings could be rehabbed as residential. But the other things 22-14
here that we're concerned about is the treatment of the former tenants. And I 22-15
said outside, and I'll repeat it, that one of the reasons that Hastings says they've replaced the houses because of the Madonna Hotel on Golden Gate--on McAllister, which they moved people into.

The Madonna Hotel, for those of you have been around long enough to remember, used to be for elderly women, and it was run by Saint Bonifice from 1960 to 1975. When Hastings took it over and told Saint Bonifice to move out, and at that time the elderly women could live upstairs. They had the cafeteria on the ground floor to use and eat at. They lived in a flat neighborhood. That facility is now moved up the hill around Jones and Sutter, I believe.

It's a much more difficult place for those women to get around.

Hastings told the people operating that hotel that if they didn't get out, they'd have the power of eminent domain of the State institution to get them out. So people left. That was good, safe, affordable housing before Hastings bought it. They didn't create that for us.

The role of private investors, I'll just briefly touch on. The EIR, it says that Walter Shorenstein is going to be assisting Hastings in the project. It doesn't describe exactly how that is going to happen. The comments and response is we would like to know exactly what Mr. Shorenstein's role in the project is. 22-16

In terms of unfair competition to the developers, number four, there are a whole bunch of fees that developers have to pay in San Francisco that Hastings doesn't, and I think as Assemblyman Agnos stated when we were up in Sacramento the other day, there are a number of other developers that are very upset about that. There are a number of fairly conservative republican assembly members who are also very concerned about that. 22-17

The State subsidizes people to compete with the private sector.

And finally, I think one of our biggest controversies--speaking for myself and my organization--is the lack of local control. We believe that a building that is not for educational purposes should go before the planning commission and have the same kind of hearing as any other developer. 22-18

This says it all, is imitation in the sincerest form of flatter? On the left is our original flyer. On the right is one put out by Hastings College of the Law. And we ask: Is this an attempt to increase communication and educate the public about this issue? 22-19

Ours, although we have a point of view, tells people when the hearing is, where to go and how to express your view.

This one doesn't. It just makes a bunch of statements which other speakers have contested and then doesn't say at the end how you can come in and find out more. It says Hastings College of the Law, your neighbor who cares.

Now, to the things that are in the EIR that we want to see in the EIR and I'll try to get through these quickly. The only alternatives in there are to build bigger buildings or to cover the open space. We want to see five more alternatives addressed in the EIR.

The first is the same basic shell of a building. That's all housing, new construction. 22-20

And at six hundred square feet a unit, that building would replace the three hundred and seventy-five units that the court has ordered Hastings to replace.

Number two we want to see an alternative that talks about rehabilitating the hotels and putting new housing on the parking lot. 22-21

Number three, this is the same. They are all basically rehabbing the hotels, and then do number three with a new office, the kind of office space you want with a parking lot, all retail in the parking lot or open space, a park--which is really needed in the neighborhood. 22-22

We'd like to see those five alternatives addressed specifically with comments and responses to this EIR. 22-23

We would also like to see in there discussion of two of the major cumulative impacts. One of is an Institutional Master Plan. Every other institution except UC in San Francisco has to do this. Saint Mary's Hospital 22-24 has to do it. The University of San Francisco Law School has to do it, and we want to see an Institutional Master Plan that says what Hastings' plans are in the long run.

Nowhere in the EIR do you mention that the KGO building was donated. We 22-25
have read about it in the papers, and we have some idea of what we think
you're going to do with it; but the EIR should address that along with how
this Golden Gate building fits into the long-term plans of the school 22-26

The other thing we want to see is the cumulative impacts of the 22-27
neighborhood. What does this mean along with your future plans on housing,
small businesses, parks, traffic and et cetera, the things we have addressed
earlier.

Now, for the juicy stuff. This is what Hastings isn't paying the city,
and what we've got here is if this was a regular office project subject to all
the fees that every developer is now subject to, what would it cost? 22-28

The Office Housing Production Program, the money put up for housing, would come to about eight hundred and fifty thousand dollars; the child care commitment, a hundred sixty thousand; the transit--if there wasn't--I guess--I'm not sure about this in terms of the government use, but assuming that the government isn't going to rent this space because it's too expensive--then other office users would maintain that even an eight hundred thousand dollar contribution to transit. Parks, three hundred and twenty-one percent and art, one percent of the contribution cost of the project.

So if this were a regular developer, it would owe the city 2.2 million dollars, plus, for all of these proposals.

Now, the new stuff. The neighborhood litigations--what if we treated this the way we treated the Ramada Hotel, the Holiday and the Hilton which all had the same litigation when they came into the neighborhood to build?

Well, the Ramada was six hundred fifty thousand square feet. It paid a hundred and sixty thousand a year for twenty years or three million two hundred thousand for affordable housing. This is roughly a third of the size we are asking for, one million sixty-six thousand dollars for the affordable housing in this neighborhood.

The United Tenderloin Community Fund, UTCF, is money that the three hotels pay for four years into a fund that's used for social service agencies programs in the neighborhoods.

Again, fifty thousand a year times four years, the same as those hotels, two hundred thousand dollars. Those three hotels put up thirty thousand dollars a piece to do a zoning study for the Tenderloin. Our zoning is done. We don't need it. But I think Market needs rezoning. Chinatown is doing rezoning, Van Ness Avenue, the North Mission.

We're asking that thirty thousand dollars be contributed to the City Planning Department to help neighborhoods preserve their affordable housing. 22-29
We're asking for the same mitigations in jobs that we got in those three 22-30
hotels and that the best effort be made to hire Tenderloin residents whenever 22-31
possible and also that the retail be neighborhood serving retail. 22-32

The total for this is about 1.3 million dollars.

In conclusion, I'd like to say just one thing, and I think this sums up why we feel this project isn't really going to go any where financially. 22-33

My organization, the Planning Coalition, like Hastings, is a nonprofit group. We, like they, are looking for ways to make money, to get money and to support ourselves, to keep our doors open, provide services in a day when government, State, local funding is going away.

We looked three years ago at the ideal of getting into business to make money. We talked to some of the best experts we could, and we concluded that if we went into business, and that's not what we are good at, we would lose money. But not everybody that goes into small business makes money. We know that, and especially if that's not what you're used to doing. And I think that's the problem that Hastings is getting itself into.

It may be a very good law school. It may be good at training lawyers, but your're not a real estate developer. And these are tough times. The good smart money in real estate is getting out of office buildings. This is the wrong time to get involved in it. I think our board made a wise decision in deciding to stay out of something that we don't know anything about, and I would urge Hastings to reconsider getting in on the office building market. Thank you.

Mr. Etienne: Thank you for your presentation, Mr. Paul

Would Sue Hestor please step forward.

Sue Hestor.

Why don't you lower that? It will be more comfortable.

Bob, would you put it down for her just a bit?

Ms. Hestor: Sue Hestor for San Franciscans for Reasonable Growth.

I would like to mostly talk about the way this EIR avoids the information that is available in San Francisco on the impacts of office space, on the community and the people of San Francisco.

Over the past five years there has been a major controversy in the city about the benefits and the costs of office development in San Francisco. That controversy has generated a lot of paper, a lot of time and a lot of study by the city and by its citizens.

The EIR glosses over the findings that the city has made. It doesn't reiterate those findings, and doesn't deal with the mitigation that the city has found necessary to deal with those harms.

Brad Paul alluded to some of them, but there is lot more available. The Downtown Plan and Environment Impact Report and the City of San Francisco's adoption of the Downtown Plan resulted in the adoption of a Statement of Findings of the environmental impact of cumulative commercial development, and in particular, office development in San Francisco.

That document is over fifty pages long. It enumerates harms, very specific harms, harms dealing with pedestrians, harms dealing with traffic congestion, harms dealing with transit problems, harms dealing with housing, harms dealing with demands for open space; and then it provides a list of specific mitigation measures and concerns.

The City of San Francisco has adopted those findings as official city policy. They govern the City of San Francisco.

This institution is in the City of San Francisco, and there is no justification for Hastings avoiding those findings.

Hastings should delineate the extensive findings the city has made in
the adoption of the Downtown Plan Ordinance, in the adoption of the child care 23-1 23-2
ordinance, the adoption of the traffic ordinance, in the adoption of the 23-3
office--Affordable Housing Production Program ordinance; all of those 23-4
ordinances make very specific connections between office buildings and their
impact and set out what is needed to mitigate those impacts.

Though Hastings may not be under the control of the planning commission or the control of the Board of Supervisors, I don't think under the California Environmental Quality Act you can duck those findings. But in this EIR all of those findings and then justify point by point why you think you are above the law and the law being CEQA, not the planning code, not the California constitution, but the environmental law of this State--and why you can duck confronting those necessary mitigation measures though Hastings may try and hide behind technicalities and we are fighting those technicalities, that you don't have to do certain things. You don't have to do certain things because the City of San Francisco can't regulate you. The environmental law of the state regulates you.

How can Hastings avoid confronting the finding that the City made with
regard to housing which connects the environment and office development? How 23-5
can Hastings avoid finding a need for new transit facilities when the City of
San Francisco has said that we need to expand transit capacity to deal with 23-6
all of the office workers? These aren't mythical office workers. They are
real office workers in the City of San Francisco.

So we're challenging on the environmental law of this state. I don't care if the supervisor or Assemblyman Agnos' a bill doesn't get through and control you. Your California Environmental Quality Act does.

The second thing along the law, is I challenge Hastings exemptions from 23-7
the zoning laws of San Francisco.

When Proposition 13 passed, I happened to be an attorney for the school district of San Francisco. And one of the things that was happening all over the State was that school districts in particular felt the need to expand their funding, and they generally had--especially if they were an older school district--surplus sites. School districts all over the State are exempt from local zoning.

But one school district started getting into commercial purposes, leasing the school for recreation facility for the YMCA or for an office complex or for any other variety of commercial aspects to generate revenue that benefited the school district. They ran smack up against the interpretation of the attorney general that they were subject to local zoning and that though their lands may have been designated public on all of the zoning maps and on all of those communities, the minute they weren't used for school purposes--and that means school purposes, i.e., either administration of the school system or schools the kids come to school to in the morning--but were making a profit out in the commercial market, they were subject to all of the laws of that local jurisdiction.

Now, what I find interesting in this EIR is that Hastings really ducks 23-8
the issue of why it's above the law of the City of San Francisco. This
project has no guarantee that it will be government offices. There is a 23-9
presumption in here that's really unsupported by it.

One of the things I also look for is how much financial benefit is 23-10
anyone going to gain Hastings' students, and I find that interesting because
basically the overriding need that Hastings is finding is that, hey, we're
going to get money from student scholarships. That's about all the P.R. says.

But you have to relate that to the harm that this project is going to
create in this community and cumulatively with the rest of office development
in San Francisco. I think one of the things that you have to have is a
mitigation measure that is not just physical mitigation. Your have to state
what the financial benefits that are going to accrue to Hastings students for 23-11
the scholarships, for subsidies, for loan programs; and what other 23-12
alternatives does Hastings have to generate that income. And I'm not talking
about a physical plant. So we have no way of measuring the need for this in
the light of the environmental harms when we don't know what is its supposed
benefits.

So tell us the supposed benefits, and we should have mitigation 23-13
measures. We should have alternative to the project that don't include the 23-14
construction of an office building. If it's a pittance if most of the profit
from this project accrues the persons leasing the space, and if there is a
trickle down here and if there is a tiny little amount that benefits a small
amount of Hastings students, we should know what that is so that we can
propose some other alternatives to make it necessary to generate that revenue. 23-15

One of the final points I want to make is the City of San Francisco has very publicly in the past two weeks announced there is no need for new office space, that we have a seventeen percent office vacancy rate; and what this EIR talks about is there is going to be minimal impacts because the office workers are already here, and they are going to move from one building into this building.

The City of San Francisco's EIRs don't do that because the space they vacate will be taken up by other workers. You can't duck cumulative increases by saying all the people here in this building will already be here; we are just shifting them. Where are they coming from when they move in here? Will the Federal and State government have additional employees moving into them, into their space? Will it be for private buildings and private tenants to go into? 23-16 23-17

You can't avoid an impact by saying this building is just a net nothing. It is not a net nothing. It is a net increase.

San Francisco says that the current office vacancy rate is seventeen percent as we sit here right now. That's without the adopted seven million square feet that is still under construction. The office vacancy rate will probably exceed twenty percent in the next two years.

There is clearly no need for this project, and all it is going to benefit is a couple of people who have a piece of the action while it's constructed or while it is leased. 23-18

And we have no information that there is really any benefit to the Hastings students, and there is certainly no benefit to the community.

Thank you very much.

Mr. Etienne: Thank you, Miss Hestor.

Next we will hear from Lillian Crosthwaite. Am I pronouncing that correctly?

Ms. Crosthwaite: I am a member of the North of Market Planning Coalition, but the main thing I want to speak about today is the effect on the residents, the people who live in the North of Market, not the technical part of it, but the human part of it, which is ignored too often by people who are planning things.

Now, I would like to give you an example of something that happened last week. I live in North of Market in a building that opened a little over six years ago. It was a brand new building. It had two hundred and two apartments in it, which are very good. But they had a waiting list a mile long. I was just lucky that I was up near the top of that waiting list, and it had not gotten down to when there was still after this length of time thirty-five people who were still on the list and still would like to move in there.

So they opened up last week to take on one hundred more people, not for residency, but just to get on a waiting list following the thirty-five who are already on there.

Now, that sounds like a big number to get on a waiting list, and these people came. They were—they could sign up. They could get forms and sign up there at 9:00 o'clock. Some of them were there two or three hours ahead of time to get in front of the line.

Within two hours after that opened, a hundred people had already signed up, turned in their applications to be on a waiting list. And there were still people there who couldn't even do that.

Now, that gives you some idea of the need for more housing in this area, not for office buildings. You've been hearing how they don't fit in, but think in terms of the people who live here, including students here who have to look for housing, too--but it is mostly like where I live. There are most--well, they're all either seniors or older people or those who have some physical reason why they can be eligible for moving in there no matter what their age.

So that what you should think about is the lack of housing here. I talk to people all over the area as I run into them, and there's--everything you hear about is that housing is the biggest problem here. So let's do something of having more housing here, not more empty offices. 24-1

Thank you, Ms Crosthwaite.

Mr. Etienne: Thank you

Mr. Paul Wartelle.

Mr. Wartelle: Sir, I represent the San Francisco Housing Tenant's Council. That's a City-wide organization which represents the interests of San Francisco tenants. And from the perspective of our organization this project is a disaster. It demolishes eighty-five units of existing housing. 25-1
It fails to provide mitigation which San Franciscans have fought hard for to 25-2
incorporate into their City law. It fails to provide the sixty units of 25-3
mitigation housing that would have been required OHPP, and it underminds your 25-4
ability to meet the court order in the McKeon case which would have required you to provide over three hundred fifty units of additional housing--for the housing you have demolished in the recent past.

It also--this project is a disaster from the prospective of the City of 25-5
San Francisco. You have flaunted San Francisco's laws and policies regarding housing. You have not complied with the Institutional Master Plan of the requirements San Francisco zoning law. 25-6

You have not complied with the requirements of the Downtown Plan. You 25-7
have not complied with the General Plan of the City of San Francisco.

And your EIR utterly fails to address the question of whether this 25-8
project fits in with San Francisco's General Plan goals.

I would like to read to you just a couple of the policies that you flaut--flaunt. First, the Housing Element of the General Plan requires that you provide the city work to provide adequate rental housing opportunities. This diminishes those opportunities rather than increasing them. 25-9

There is a second policy in that housing element that requires preservation of the existing stock of residential hotels. This destroys 25-10
eighty-five units of residential hotel space. It requires that we discourage the demolition of existing housing. This obviously ignores that policy.

Finally, you flaunt the San Francisco Residential Hotel Law which requires replacement housing whenever residential hotel housing is demolished. 25-11

25-12 I would suggest that you have no justification for ignoring San Francisco's laws. The laws are based on the collective judgment of all San Franciscans as to what this city needs and whether your are technically beyond those requirements or not, you have an obligation as a part of this community to abide by the collective judgment of San Franciscans and to observe our objective needs.

Secondly, you content that you are above the law because you are engaged in the educational function. I would suggest that there is nothing 25-13 educational about this building. You are engaged in a proprietary function. 25-14 The case law has made a distinction between proprietary and educational functions in terms of the exception of institutions like your own from local law; and I think you will find if you look at the law that you are not exempt. 25-15

Finally, I would just remind you that one of the ill attended purposes of legal education is to imbue in the students and in the community a respect for the law, and I would suggest that you have utterly failed in that mission. Thank you.

Mr. Etienne: Wayne Luk, are you here, sir?

Mr. Luk: My name is Wayne Luk, and I am the Director of Social Services for the Center of the Southeast Asia Refugee Resettlement.

I have been asked by my agency to come here to speak to you today to express our concerns about the proposal which you have before you to build new buildings in this area for the purpose of office space.

My agency works with refugees. We are one of the newer populations within the Tenderloin. We have been around for ten years now, eleven years now in this neighborhood.

And in this neighborhood we have seen a lot of changes. The changes which we have seen have included the high impact of refugees into the residential hotels, as well as the apartment buildings available in this area. The impacts that we have impacted upon within this community includes the revitalization of community through seeing children, through the development of schools, through the development of schools, through the development of businesses in the neighborhood.

We feel threatened today. We feel threatened for a number of things. We feel threatened because of the loss of housing stock. We also feel 26-1 threatened because of the impact of new buildings within this area meaning less open space for the children in our community. We also feel threatened 26-2 for our businesses. The businesses which we are involved in are small 26-3 businesses. Within my agency we have been involved in the development of over fifteen small businesses in this area, but these are businesses which are composed of small family groups who have gathered together the money necessary to begin a business. And in their beginnings, they have had to look very hard and to look for reasonable business space which they can afford to rent.

Through the development of more office buildings, what are we doing? We are going to be driving up the cost of the rent of business space for these people in the same way that we see this problem in North Beach, in the same way that we see this problem along Union Street. We will have the same problem here, and that is the impact which you're threatening us with through the loss of all these services and businesses.

I would also like to say that as a community here, we demand and we need the assistance of the public agencies charged to help us through developing child care, through transportation. The majority of my clients do not own cars. The ones who do own cars don't own garages. For the people who can live somewhere else, maybe they have these amenities, but my clients do not.

When you talk about bringing in large numbers of demands for parking spaces, where will any people go to park their cars? 26-4

When you talk about having to cart on buses two bag fulls of groceries, where will my people go? Will they be standing on buses? These are the impacts which are of concern to us. 26-5

We urge you to look at alternatives, to look at what is available today 26-6 in terms of providing space for the offices which you need.

Thank you very much.

Mr. Etienne: Joe Kaufman next. The next will be Seamus Kilt.

Mr. Kaufman: Joe Kaufman, Chairman of the Zoning Committee North of Market.

Most of the speakers covered some points. I'll just make one or two. Offices coming from downtown office buildings drive up real estate prices 27-1 which drive up rent. Now, you want to come from this way. And if you set that precedent, others will come. So what you want to do, you want to come from this way. And they want to come from that way, and they want to squeeze out us, the low income, disabled, elderly, Vietnamese refugees and fixed income people who have no other place to go.

San Francisco--San Francisco is becoming a city for the rich, and the 27-2 Tenderloin is San Francisco's dumping ground for the poor.

Now, you, the Board of Directors, the attitude that you show is one of--I can think of four words: Avarice, greed, arrogance and covetousness.

And looking at the duplication of our flyer, I would say you are not above dirty tricks, either.

And the other thing is KGO--and I don't know why--just donated a building, their whole building donated. Didn't cost you a dime. I think it was fifty thousand square feet. How can you, after you have a building that's been donated, want more? You have a fifty thousand square foot building didn't cost you a damn dime, go in there, renovate that building, rent out 27-3 your offices there; and you won't need another building.

And it's very ironical that people, a law school, a board of directors sworn to uphold and guided by constitutional principles, and the Declaration of Independence would deny to the people of the Tenderloin two inalienable rights which are life and the pursuit of happiness because life and the pursuit of happiness begin when the person has a decent, affordable, secure place to live; and you would deny that to us. 27-4

Mr. Etienne: Mr. Kilty, would you step forward, please, sir.

Is that Shamus?

Mr. Kilty: Shamus.

Mr. Etienne: Not Seamus, I'm sorry. It's Shamus.

Mr. Kilty: I'm Shamus Kilty from the Saint Anthony Foundation. I would like to suggest some concerns of the environmental impact, that an environment which is lacking in housing in negatively impacted if the number of housing units is reduced.

Dorothy Day, Senior Housing Project on McAllister Street, is going to be opening at the end of May. I'm on the Board of Directors of that housing corporation. We have four hundred twelve people on the waiting list. We are already full, and these aren`t people who think it might be a nice idea to; live there. These are people who filled out an application, were completely screened and found to be eligible to live there. So now that we have a hundred units fully occupied at the end of May, we have four hundred and twelve people who want to move in, people who need housing.

We have a housing shelter at night for women at Saint Antony. Forty people a night are sleeping there. They shouldn't be sleeping at Saint Anthony's. They should be sleeping in their own rooms somewhere else.

Therefore, I say to you, the Hastings College of the Law, Saint Anthony's is opposed to the proposed demolition of the residential units on 28-1
Golden Gate Avenue. The reason for our position is that the eighty-five rooms are vital to the hosing needs of the poor. It is wrong for Hastings to deny use of the housing units which exist to those in need and doubly wrong to be 28-2
demolishing them.

The neighborhood does not need more offices. We need more low-cost housing. By opening the existing hotels to housing usage, you will be doing a great service to the Tenderloin. By demolishing them, you will be adding to the problems of the already over burdened poor.

Thank you, sir.

Mr. Etienne: Carol Foerster.

She'll be followed by Peggy Kranz

Is Carol Foerster not with us today?

Here she comes.

Miss Foerster: Good afternoon. My name is Carol Foerster. I represent the Tenderloin Neighborhood Development Corporation. We are a nonprofit corporation committed to providing safe, clean, affordable housing in the Tenderloin.

We buy and rehabilitate buildings, turn them around and involve the tenants in the management of those buildings. Just recently we went through our waiting list to make sure that it was, in fact, current and found very much so, yes, it is current.

We have people on our waiting list since 1983 trying to get into 29-1
housing. We only have four hundred units. We need all we can get.

Thank you.

Mr. Etienne: Thank you.

Peggy Kranz, and then Kelly Cullen.

Ms. Kranz: I'm Peggy Kranz, and I'm on the Board of Directors of the North of Market Planning Coalition.

That an educational institution should consider itself above the laws of
the city in which it operates is just boggling my mind. How can it educate if 30-1
it is unable to understand the law of the city in which it functions?
Hastings has already destroyed one hundred and ten units of housing, and in
the time of housing crisis proposes to destroy eighty-five more, and in 30-2
addition to three neighborhood businesses, including the well known Knight's 30-3
Catering.

The San Francisco Superior Court has ordered three hundred and seventy-
five units of this housing replaced. But does Hastings cooperate? Of course 30-4
not. It appealed, and the appeal is still pending while many of these people
may well be on the streets.

Hastings is proposing to build an office building on Golden Gate between
Hyde and Larkin. This will not be used for educational purposes, but rented
out as commercial office space for profit. Does Hastings believe it or not 30-5
has the authority to write its own EIR, and it has done so and indicates no
negative impacts on the neighborhood.

However, its own consultants disagree and find it will have many
negative impacts on the surrounding residential neighborhood, on housing, 30-6
parking, traffic, public transit, sunlight on the walks and on open spaces; ↓
also on office vacancies, now seventeen percent and existing business all of 30-14
which Hastings proposes to ignore.

Does Hastings know what it's doing? I submit this is a very important 30-15
question and should be answered by rejecting the EIR and the proposal.

Thank you.

Mr. Etienne: Kelly Cullen, followed by Carmela Gold.

Mr. Cullen: Hello, my name is Kelly Collin. I live in the neighborhood and I work in the neighborhood. When I moved into the neighborhood five years ago, I was able to rent a studio for about three hundred dollars. I now find out if I move out of my building, studios start at five hundred to move back in.

The fewer housing--the fewer number of places there are to live in, the more our rents go up. This is one of the reasons that we are very concerned about the crunch that is on-going with projects like this in our neighborhood.

I work for the San Francisco Recreation and Park Department and at a recreation center down the street. There are, as a conservative estimate, over four thousand children living in this neighborhood. That may seem odd to many of the people at Hastings who are just living here in this part of the neighborhood, but throughout all of the streets live hundreds and hundreds of children and their parents. They need a place to live, and they too are suffering from the fact they have very little income; and housing rents keep going up and up and up. 31-1

I think it's a scandal to live in a neighborhood with very few parks and very few amenities, and we're paying such outrageously high rents. 31-2

Your destruction of housing is going to increase our rents, increase the demands and cause more problems for us. 31-3

Parking is another thing that's been mentioned today. I would just like to say I have a car, and it's very difficult to find parking. Most people only want to rent for the day. Some parking that's monthly is seventy-five dollars a month or up to ninety dollars a month. Just to get parking, that gets very expensive.

There are some people in this room who don't afford cars, partly because they have so little money. Ninety dollars a month monthly parking would represent about twenty-five percent of their monthly income. So parking is again a major problem. 31-4

I guess I would just like to say I really believe Hastings has a very good reputation as a law school. And my understanding from the buildings that are managed on McAllister Street, Hastings has a pretty good reputation as a residential hotel and residential apartment manager. 31-5

I would encourage Hastings to open their two hotels and continue and build on that good reputation as hotel managers for the local people that want to live here and for students who need to live here and to begin working with the neighborhood. 31-6

Hastings is going to stay in the Tenderloin. The people of the Tenderloin are going to stay in the Tenderloin. I think it's time for Hastings to start working with the people and for the people. 31-7

Thank you.

Mr. Etienne: Carmela Gold. Are you with us, Mrs. Gold?

Mark Bender.

Mr. Bender: My name is Mark Bender, and I'm a second-year student at Hastings.

And I guess I want to put a little perspective on this about the Hastings students perspective. I'm speaking also as co-director of the workers rights clinic. Now, for those of you who don't know what the workers rights clinic is, is a workers rights clinic down in the Mission district of San Francisco that provides free legal referral and some attorney supervised counselling for workers who have employment problems and who can't afford lawyers. And Hastings thought that was a really good service that Hastings is providing, right? Hastings in its leaflet that they put out in response to--to the anti-building leaflet said that we're providing all these great services.

Hastings is providing legal services to the--you know, to the poor in the neighborhood.

Hastings is providing clinics. Now, as co-director for the Workers Rights Clinic, I know how that works. The Workers Rights Clinic here at Hastings is a student staffed--a student-staffed activity in the same sense that the rugby club is at Hastings.

We have no special recognition. We get funds from the student government when we apply for them in the same way that any student organization has here. We have no special recognition, and we get no special help, and I'd be damned surprised if Hastings builds a building and offers us some office space in it.

As a student and, you know--we're talking about the conflict between Hastings and the neighborhood. I mean, acutely--the emphasis here on education at Hastings is totally antipathetic, against poor people. I looked 32-1 at some brochures from other schools, including the University of Pennsylvania back east, and at those schools, mandatory first-year courses include courses on poverty law, on neighborhood law, on government programs to the poor law.

Now, at Hastings there aren't even any electives on that. People at Hastings are told that we have to talk about money. There's one course at Hastings called Representing the Underrepresented taught by a nonstaff person. What does that make the whole rest of the courses? Representing the over-represented? That is the feeling I get being a Hastings student. I guess I just want to close with a concern that I myself, you know, and probably a lot of people here are unsure of what this meeting here is all about. I see a record is being taken, but I'm not sure why and who is going to see this. I'd like to know what's going to happen after this meeting. Is this just 32-2 going to be a meeting where we all sound off, where we all feel like, yeah, we made a big deal. But that building is going to be built. What's going to happen next, and I ask everybody that.

And thank you.

Mr. Etienne: Vera Haile followed by Barbara Arms.

Vera Haile, Is she here?

Barbara Arms?

Dante Ventresca.

Mr. Ventresca: My name is Dante Ventresca. I'm the Director of Social Serviced at the YMCA. I'd like to thank you. I'd like to thank all of you for allowing me to come and to speak to you here today. I'd like to start by reading you a quote: It's from James Agee "Let us now praise famous men" "In every child who is born under no matter what circumstances and of no matter what circumstances and of no matter what parents, the potentiality of the human race is born again and in him to once more and in each of us are terrific responsibility towards human life, towards the utmost idea of goodness, of the horror of error and of God."

I have been asked to come and do an impossible task today, and that is speak for people who don't have a voice here today which are the children and the youth of the Tenderloin.

Within a mile radius there is ninety-one thousand people here, okay. And to expound on Kelly's figure, four thousand children, there are actually twelve thousand children under the age of nineteen here. Nine thousand of them are eligible to go to school. Seven thousand of them are in school, which leaves two thousand out in the street somewhere.

We speak of an environment impact, and the environment basically is the space that we have here. And there is very precious little space. The space that is available is crowded and packed and jammed. 33-1

Mitch Wilson of the Bay Area's Women's Resource Center once said to me, "A child can witness crime, drugs, abuse, violence and prostitution without ever walking out of the front door of their apartment building." This is the neighborhood that we are part of. The neighborhood that we live in. And, sir, I say that it is your responsibility and board members that are absent, 33-2 their responsibility and Hastings' responsibility to start taking a look at the neighborhood in which you share the space and in which you share the environment. We have said that if this project is approved, that you should take into account child care, minimum housing, traffic, parking, sunlight 33-3 ↓ preservation, local employment. I say that even if the project isn't passed, 33-8 these are still your responsibilities, even if it isn't passed.

Yesterday a child stole some money out of the locker, and I got all of the kids together, and I spoke with them. And I tried to make them see that as a group of people, we are responsible for each other as a group that has come together with some common purpose; that if one of us makes a mistake, then all of us need to take a look at that mistake; if one of us is abused, then all of us need to take a look at that.

Martin Luther King said that if one of us was discriminated against, then all of us are discriminated against. And we, Hastings, the neighborhood and the children and the adults and the homeless, we are all part of one group; and we are here in this neighborhood, and we have to share this space.

I think, I would just like to point out that you need to realize that these people have rights here. They have rights to a family, to a neighborhood, to a place to play, a place to grow in the sun. They have a right to an education. 33-9

I think we also need to realize that it is your responsibility in terms of being an educational facility, an educational institution, that you need to look at the education of all people, and that's the education to make choices, 33-10 and that is--that education implies freedom, and that implies that freedom of all people: the poor, the rich, the hungry, the fed and the homeless; the families, the children, most of all the children who will inherit our mistakes and the children who will inherit this neighborhood.

Please show us some good will.

Thank you very much.

Mr. Etienne: Clarissa Ward. Would you b so kind enough to step forward. Mr. Honic is not going to be with us.

Ms. Ward: I'm Clarissa, Clair Ward; and I am representing the San Francisco Gray Panthers. I think that the speeches here, testimonies, have been outstanding and, in fact, some people are leaving, because pretty much everything has been said. But I just want to say one thing. I think that the impact will be in the Tenderloin on people sleeping in the parks, people 34-1 sleeping in the doorways and people sleeping in the street.

I think the impact will be that Saint Anthony's food line will be 34-2 longer. Instead of one block, it will be two. For what is happening in this country today--and I think that people who are standing in line at the Glide Memorial Church will also go around the corner.

Since 1980 the rich are getting richer, and the poor are getting poorer. And it just seems to be the poor can take as much as we want to give them, and it's a disgrace. Thank you.

Mr. Etienne: Ladies and Gentlemen, we've been going for about an hour and a quarter and there are still some of you who have something to say. But we are going to adjourn for a five -minute recess. We will recommence in exactly five minutes. Thank you.

(Recess taken.)

Mr. Etienne: I have now been given a number of cards for which those wish to make comments in connection with the EIR. If there is anyone among you who has not signed such a card and wish to make a few comments, please do so. As I indicated at the outset; we are interested in hearing from anyone who has any comment to make in connection with the draft of the Environmental Impact Report.

The next is Tommy A. Conner.

Mr. Conner.

Mr. Conner: Thank you. My name is Tommy Conner. I want to speak about the substance of the present EIR, the Draft EIR and a little bit about how that relates to the '77 EIR that was prepared for the Two Hundred Building.

At that time Hastings envisioned a two-stage development, as I'm sure you're all aware. First the development of Two Hundred Building across the street, and then the development to what's called the community--the Community Resource Center, I believe, along Golden Gate. At that time in the summer the University stated that this stage, this second stage, regarding the development that is now proposed, slightly modified. The University stated that this stage would not be undertaken unless the--unless Hastings could mitigate the significant impact. It's that page 1 of the summary of the final set of draft in 1977.

I think that that statement is indicative of why, or at least gives some support of why the draft EIR overlooks a lot of the significant environmental impacts which cannot be mitigated, cannot be avoided by this project. 35-1

The author of this states that there are none. It is illustrated by other speakers that there are sufficient environmental impacts, specifically housing and parking--rather that repeat everything that has been said, I would like to go to the merit, the logic that is laid down in this report for the conclusion that Hastings doesn't need to determine any way or develop any way to mitigate a loss of residential hotels because they have provided ninety units ostensibly, and intended to demolish buildings which provided eighty-five, leading to a five unit net increase.

The logic of something like this, there will be no increased demand for housing, and there will be no decreased supply of housing for two reasons: As to increased demand, the authors of this document suggest that even though Hastings would like to create or employ nine hundred ninety-two persons in the new building, and even though that space now serves to employ forty people, there will no net increase in demand for housing because Hastings anticipates--and that's a quote--anticipates that the State of California will rent that space, and they will move workers who are presently in, quote, other crowded offices into the new offices.

Because Hastings anticipates to rent that space to the State of California and has not yet entered into any contracts, or at least does not provide readers with any proof that Hastings can, in fact, rent that space to the State, it's an assumption. 35-2

Hastings then goes on to suggest that we acknowledge--the author acknowledge the affect of back leasing, they're bringing nine hundred plus people out of presently leased buildings throughout the city and putting them together in this building will have the effect of opening up existing space. As a result, the market naturally will create an impetus to fill that space. That has the effect of bringing in, or at least leading to increased pressure on housing by bringing new persons into the market.

The author of this document suggests that that is too speculative to analyze, the impact of housing related to back leasing. If it is too 35-3 speculative to analyze the impact of housing that will result from back leasing presently leased space why is it also not too speculative to determine that that space can be rented to the State? I would suggest that neither is a greater assumption. And if the author of this document and the preparation of the final document will still stand on the assumption that that space will be leased to the State, that same author must analyze the potential affect of back leasing and the increased demand for housing that that will create.

Now, that's as to no increased demand for housing. Now as for decreased supply of housing, the author suggests that although Hastings intends to demolish eighty-five units, or two buildings: The Philadelphia and the Eureka Hotel which provided eighty-five units, there will be no net decrease in housing because the University, in between 1974 and 1978 rehabilitated eighty units in what is now called the McAllister Hotel on the end of Golden Gate and ten units in the Ramona Hotel. 35-4

What the author fails to state is that forty-one of the eighty units in the McAllister Hotel are not now presently rented. Of those forty-one units, only thirteen remain habitable today. In other words, twenty-eight units of the eighty units rehabilitated in the McAllister building are no longer habitable.

Of the ten units in the Ramona, two units remain available for rent today, and both units exceed the rental cost of three hundred seventy-five dollars; and therefore, do not constitute low-income housing.

The author's suggestion that there will be no decreased supply of housing if the two buildings on Golden Gate: The Philadelphia and the Ramona--excuse me--Eureka are demolished is inaccurate because there is not now ninety units to replace them.

Additionally, Hastings is not under any requirement in law to maintain those ninety units. Hastings cannot be required to rent that space once it is vacated, nor can Hastings be required to rehabilitate it.

In response to this issue, Hastings has suggested that the McKeon case, McKeon vs. Hastings, which is now on appeal, presently requires Hastings to provide three hundred seventy-five units, and that Hastings will follow the court's final holding at the end of the appellate process.

That however, is a separate issue. The issue of relocation is distinct and unique from the issue of--of the destruction. The environmental impact relate to the destruction of residential hotels which at the time they were purchased were both habitable and at code, at least in one case, and the other case subject to minor improvements. 35-5

So I would just like to conclude by stating that it is unreasonable to suggest that there will not be an increased demand for housing as a result of this project or any project which increases employment in the results of environmental impact to this city. 35-6

It would also be unreasonable to suggest or to conclude that there is no decrease supply of housing when Hastings is under no requirement to maintain housing previously rehabilitated, and, in fact, has allowed a substantial number of those units to degenerate. 35-7

Therefore, there will be significant environmental impacts on the housing market as a result of that project. Therefore, that issue must be fully addressed, fully analyzed and fully reported with sufficient mitigation measures and that issue must be considered in an alternative session which adequately looks at alternatives which would decrease those significant environmental impacts which cannot be mitigated. 35-8 35-9

Thank you.

Mr. Etienne: Thank you.

Loretta Chisolm followed by Thomas Dedman.

Loretta Chisolm?

Loretta Chisolm is not here.

Thomas Dedman, are your here, sir?

Followed by Marsha Sherman.

Mr. Dedman: I'm Thomas Dedman, and I'm with the North of Market Coalition.

Sir, I am--about this massive monstrosity, this white elephant that your institution would suppose, you know, to build here is not tolerable, in plain english.

Something like this that massive building you propose to have built, it reeks and stinks of urban renewal of the sixties. 36-1

I know there are thousands of people that were moved out; and know what people done? Nothing. People were shoved out further and further out of the cities. And all you have is freeways.

Okay, we are dealing with people's dignity.

I have not seen anything that relates about Hastings treating people with dignity, respect and accord. This is not tolerable. 36-2

Also what's more, what has Hastings done prior to this to indeed make plans for these people to have housing? 36-3

Also, what's more, I know for a fact you and also the regents, unfortunately, a lot of these law students at Hastings, you persons. You have no idea what it is to be poor. The vast majority of you don't. 36-4

Now, part of my credentials is for three years working at a mutual benefits association. You don't know what it is like in this country not having access to doctors, not having access to food and especially, primarily, not having proper access to law.

Now, I ask and I ask for many, many people. Most people I know are poor. We are asking your university--no, your school to reconsider this travesty that you would have met upon us. 36-5

Thank you.

Mr. Etienne: Marsha Sherman, please. And then Jonathan Scop.

Ms. Sherman: I'm representing the North of Market Child Development Center, formerly Hastings Child Care Center. And I simply would like to make a point of information from page 100 of the EIR. The North of Market Child Development Center is presently providing child care for the law school students. We provide fourteen spaces. Our wait list of just Hastings students for the following school year is over twenty. We will only have eight vacancies, which means that we cannot even serve the total number of students that would like space in our center now. 37-1

Our total waiting list is over eighty-five families. That means over hundred children, and growing every day. Five more applications came in today. They have not even been counted in that number as yet. And the building of the new site has not--there has been no discussion at all as yet about our center serving any of the families of the people that would be working in that building. 37-2

Mr. Etienne: Jonathan Scop, please, followed by Richard Park.

Mr. Scop: I'm a third-year student here at Hastings, and first of all, I think it's rather unfortunate that the entire board couldn't be here. I feel that is a way of not being responsible to the community. 38-1

First of all, is the entire board going to be viewing this entire videotape? Can you answer that question for me? 38-2

Mr. Etienne: I can't answer. I don't know whether they will or they will not. They may.

Mr. Scop: What is this hearing for in that case? 38-3

Mr. Etienne: Why don't you make your comments, sir.

Mr. Scop: I'm sorry. You are representing the board, are you not?

Unidentified Man: I would like an answer to that question also.

Mr. Scop: What is this entire hearing for if not to present to the people who are accountable?

Mr. Etienne: I'm sorry. I thought I explained that twice at the outset of the session, but I'll do so again.

The Draft Environmental Impact Report on which various speakers have commented is a document prepared to determine what the environmental impact will be or may be on the environment. And there are a number of areas of environmental impact.

The purpose of this hearing is to receive comments on that draft. Those, your comments, every one of them, will reviewed by the board. There will be responses made to those comments, and the Draft Environmental Impact Report plus the comments constitute the entire environmental document which has to be reviewed by the board under the law in order to determine what their course of action is going to be with respect to this project. Basically, that's what this hearing is about.

Mr. Scop: So, in other words, the board will look at it?

Mr. Etienne: Sure. You asked about the videotape, and I don't know the answer to that question will they review your comments, they most certainly will.

Mr. Scop: Okay. As a representative of the board, I would like to ask you a few questions.

Mr. Etienne: Sir, I'm not here to answer questions. I'm here to listen to your comments on the Draft Environmental Impact Report.

Mr. Scop: There are many things being put forth as facts by the college. Since there is nobody here--the college can make all sorts of statements and basically not be accountable for them. For example, who is responsible for this flyer? 38-4

I've been told by various people in the Administration that nobody seems to know who was responsible for the flyer.

Mr. Etienne: I'm the wrong person to ask. I don't know. Would you please get on with your comments sir? There's far more other people who want to speak.

Mr. Scop: Well, the assumption in this flyer is that--aside from the negative effects on housing--of course, this flyer is does not attest to any of the negative effects of housing.

That Hastings is providing legal services to he community, more free counseling on law, tenant problems, sexual harassment, old age and senior citizens benefits, worker's rights, income tax and child care assistance and other aid.

To your knowledge, sir, is there--are any of these programs currently being funded by the college? 38-5

Mr. Etienne: Sir, that's not with reference to the Environmental Impact Report.

Mr. Scop: Well, it most certainly is.

Mr. Etienne: But I --

Mr. Scop: This is being used as a justification for the information, in case you are unaware. Hastings is not providing and has not provided, in spite of its promises to the State Legislature, one penny for any of the residents of this community.

The only legal service that is being provided for this college goes to students at UCSF Medical Center. There have been numerous attempts by students here which have been rebuffed at every stage of the way to provide 38-6
for the residents of this community, but the attitude of the college and -- well, in the words of Dean Prunty earlier this Fall is that being in this neighborhood is, quote, annoying.

We -- now we have the Tenderloin Housing Clinic. The college has not provided any money whatsoever for that.

We have the General Assistance Advocacy Program, and which is directly to benefit people in this community. The college has not provided anything for that.

I really don't see how the board, in addition to just sort of running away from the problem, could have the incredible audacity to lie through their teeth in support of this housing project when everything this college has done has been indirect opposition to the needs of the community.

Thank you.

Mr. Etienne: Richard Park followed by Hans -- is that Herb?

Mr. Herb: Yes.

Mr. Etienne: Mr. Park.

Mr. Park: Thank you. May name is Richard Park. I am the executive Director of Travelers Aid Society, an Agency that has been serving this community now for some seventy-two years providing housing service and emergency support services to mobile people experiencing problems in this community.

I also currently happen to be chair of the Central City Shelter Network, a coalition of both service providers and advocates for the homeless who find themselves without shelter and without adequate means of support in this community.

I do not wish to go through the entire litany of loss of housing and housing needs. That has already been recited.

I do want to share with you very briefly that my experience both with Travelers Aid Society and the central city shelter network has been that there is an increasing number of people badly in need of housing facilities in this 39-1
community.

Four years ago our city fathers were willing to admit that there might be two thousand homeless people on the streets of San Francisco when many of us who were trying to deal with our population were saying there were at least five thousand and maybe more.

Today our city fathers admit that there are five thousand people homeless on the streets of San Francisco. I leave it for you to guess how many beyond that is probably reality. The fact of the matter is that those numbers have been increasing at a time when, as you have heard in the previous testimony, available units of housing to assist those people has been decreasing.

For the Board of Trustees of Hastings to accept this Draft EIR that suggests that there is not -- that the project will not directly or significantly impact housing in this community is in essence to say to the existing homeless residents in, to those homeless people who find themselves trying to survive in this community that you are insignificant because there will be no significant impact on you. 39-2

That is just not true. It is not fair to the people who are residing in this community. I think it is beneath the dignity of Hastings to accept this report. I urge you to reject it and go back and really deal with the issues. 39-3

Thank you.

Mr. Etienne: Mr. Herb followed by Margaret Lane.

Please, Mr. Herb.

Mr. Herb: Thank you. I'm a resident of the community and a student here at hastings, and Id like to point out first that the university should be the morale leader of the community. People should look up to the university and they should always act in the highest of ethical standards, also the legal profession is charged to a high level of ethical standards. And further, you as a public trustee, should be held to the highest possible of ethical standards. 40-1

What we have here is this Board of Directors single handedly bringing discredit on the university system, the legal profession and the public trustees for the State of California.

By their actions, the schools' real estate developers here have failed to recognize the same institutions that they purport to uphold. My main complaint with this Environmental Impact Report is that it's simply another example of Hastings refusing to participate with the local community, refusing to cooperate with the City of San Francisco, and I always wondered why. Well, maybe it has to do with the fact that the directors don't live in the community of San Francisco, and many of them don't really care what happens down here. 40-2 40-3

And I submit to you that many of us younger students who are here at Hastings now will be branded with the name of Hastings and the action you take today on this report and in other matters will make the difference to us on what will happen to us in the future on positive and negative because the reputation of Hastings is definitely on the line here.

I would like to point out what I consider major misrepresentations in this report. First of all, repeatedly throughout the report there is a constant reference to educational and governmental purpose. When this was sent out to the hundred and fifty or two hundred people that got this there was, at least in reading it, the idea that it's being used for some educational purpose. However, a careful reading of page 14 tucked in the middle of a paragraph, low and behold, it says in there that there will be no classrooms, the only educational purpose will be some office from Hastings, some administrative offices may be in that building. 40-4

There is further absolutely no support to the assertion repeated throughout the report that housing isn't feasible. It is stated through the bald assertion, housing is not feasible; and there is absolutely no analysis about what will happen about that. 40-5

And on a lesser scale, the lack of parking. For those of us who are students here at Hastings, we have to park and walk here to school There is a significant crime problem in the neighborhood. And taking a hundred and seventy parking spots from the local neighborhood right here will mean that people will have to walk further and further away from the school. 40-6

We had to fight and fight and fight to get the very limited security escort service we have right now, and they say they will not go past two or three blocks. If the students have to park their cars further away, they'll just be more victims of crime. 40-7

Further, the report mentions about the noise that will go on during the next twenty-four months for the students studying here, which incidentally is the time period I'll be here. And it suggests that the noise level in the library will only be about ninety-two DB's. Ninety-two DB's if you're wondering, is seven DB's higher than what is required for a smoke detector. and I don't think I could study too well listening to a ninety DB horn. 40-8

Finally, I would just like to point out that this is a chance for Hastings to show that they are true and sincere, or it's a chance for Hastings to show that they're insincere.

The public eye is on us now. The Legislature will be taking up this bill here, and if it passes--and I believe it will next year--what we will be remembered for is the Hastings bill, the bill that they had to put up a Board of Directors to stop these people who are abusing the authority that they have; and it was required of the Legislature to step in and to hold these people back. And I think a more responsible result, or more responsible action, would be if the Board of Directors within themselves decide that they will do an adequate Environmental Impact Report taking input from the community here and make a decision based on the community needs, not on what the Board of Directors needs are. 40-9

Thank you.

Mr. Etienne: Margaret Lane followed by John Bardis. Margaret Lane?

Ms. Lane: My name is Margaret Lane, and I am a second-year student here at Hastings, and I want to speak to you, sir, as a number of different persons. I want to start to speak to you as a San Francisco native, as someone who grew up here in San Francisco and returned to San Francisco to attend school in this neighborhood and to learn and to use my legal training to help the people of San Francisco, most especially those who are under represented.

When I returned to San Francisco after a short absence during which there has been an incredible office building boom, and as you have heard time and time and time again today, we don't need more offices. But what that office building boom has done, besides creating a lot of white elephants, is to squeeze the people of this neighborhood out. And I came back to this school, to this neighborhood to find a very changing neighborhood, a neighborhood that was fewer and fewer people, or I should say actually, more people crammed into fewer and fewer space and all around empty office buildings. 41-1

One of the things that has really struck me about the testimony today has been something that I have been learning for the last year and a half in this school, and that is how you frame the issue, determine the answer you come up with and that epitomizes the Environmental Impact Report that I and the rest of the people here have read.

If, according to the preparers of the report, it's not an impact, it won't be discussed, and the outcome is the building is built; and I just encourage you to take back to the other Board of Directors the information about the other impacts the students and neighborhood residents have talked about today. 41-2

I also speak as a volunteer at the General Assistance Advocacy Project and at the Tenderloin Housing Clinic. Again time and time again you've heard today about the lack of affordable housing for renters. 41-3

Also, as a volunteer for the General Assistance Project, I meet on a regular basis people who are trying to find housing that they can afford on the relatively small amount of money they get from general assistance. Where a lot of these people end up going is what are called SRO's, single room occupancy.

The Eureka Hotel and Philadelphia Hotel before they were abandoned, and as a lot of people have said today, let go to pot, really, by Hastings were such SRO's. The people that we see at Gap could really use more available places like that. 41-4

When people say that Hastings is developing an office neighborhood--an office in the neighborhood, they are saying that the Board of Directors, the faculty, the staff and the students are doing that. There is an old anti-war slogan: no more genocide in my name. And this student is saying: no disregard of the neighborhood in my name. 41-5

Thank you.

Mr. Etienne: John Bardis, Please.

Mr. Bardis: Mr. Hearing Officer, I want to applaud the neighbors in coming out and trying to give some kind of prospective to the process here and to what Hastings is trying to propose as their project. We are here to address the EIR and make comments on its accuracy, if there are any omissions, to try and point them out; if there are any mistakes or errors, to try and correct them.

In that regard it's very important that we understand that the process does provide a point where we can actually see the response or the comments that will be made to our observations that were made today and to go--to ascertain and be given a reasonable time to ascertain as to whether those comments have been properly responded to what we submitted is testimony today at the hearing and is there any final procedure whereby the Final EIR would be available to the public at least thirty days before the regents or the Board of Directors of Hastings will be considering the Final EIR for its certification? 42-1

Mr. Etienne: Yes, sir.

Mr. Bardis: It will be at least thirty days?

Mr. Etienne: Yes.

Mr. Bardis: That's fine because I think then that your staff should take very careful note of the comments that are made at this hearing and make very capital response because I'm certain people will be on their backs regarding any oblique responses or nonresponse to what is being expressed as testimony today.

We have at the very beginning of the EIR report a clearinghouse report that was remarkable in its candor in saying that we have before us a project that is truly an office building and described very clearly that and nothing else but that. And that's incredible for an institution to actually even entertain and see or even propose to the public. 42-2

I am appalled in a way that this would happen. Mr. Kaufman mentioned earlier something about arrogant. I think this really testifies to the in sensitivity and the arrogance of the institution and where it may have gone amuck. But it's especially deplorable to see this happen because if it were happening as a unique instance where somehow or other Hastings was in a vacuum and just made an error and just maybe some of the bureaucrats just ran amuck and had to be pulled back, we could understand that. But it's hard for people in San Francisco to understand that because it's--over a decade now in San Francisco we have had a problem with institutions expanding and expanding in an insensitive way.

And we have provided a graphic history for a whole decade on what institutions should not be doing in terms of when the neighbors, your sister institution, University of California in San Francisco, wiped out over a hundred sixty residents, evicted people from their homes, had plans to wipe out four residential blocks of housing in the sixties.

There was a lawsuit, three lawsuits as a matter of fact, eighty million dollars of construction was stopped in its tracks in the mid-seventies. Master plans were asked for by the university, by the community when the university did not provide them. Governor Brown required that that master plan be provided to the community as part of the Budget Act in 1974. So the Budget Act of 1973 pulled out of it--a whole building, the Gunther Building, deductible because it was not responding to the community. We had the regents eventually in '75, conveying and in effect saying that that, the master plan, will be adhered to, that there would be boundaries that they would no longer exceed, that there would be a limit to the--a limit to the population on the campus. This was the institution itself responding to the neighbors, that there would be open space provided for fifty years, fifty acres for perpetual use, that there would be a limit of three hundred--three and a half million gross square feet in the buildings on that campus.

These were stipulations that were made in 1985 by the governing body--like the governing body presumably we are addressing today. Where was this governing body when this was happening? Their record is all there. I don't see any mention in the EIR about the master plan for the UCSF campus in 1975-- 42-3
the master plan in 1982. The EIR on those two matters--the EIR for the dental school building project for the UC hospital building project, none of those are referenced at all as if this all happened out of a vacuum, as if that is history never happened, as if that institution was not in any way related to this, as if these problems never happened before; and for that reason it's a little sad because you now have to really applaud our neighbors in the Tenderloin even more because many of the neighbors never have ever quite appreciated that history; although I'm sure your faculty and your administrators know of that very well and followed that whole process very well.

And so even without the benefit of that history, your neighbors have come back. And I soundly support them. In the seventies we also raised the question of what are we doing all this construction for? We raised the question in the seventies. Why would be build more hospital space and more expandable hospital where there was a surplus of such space in San Francisco which has been exacerbated in our predictions and in our prognostications that were made by that time and had been confirmed by reality over and over.

We had the highest density of doctors per capita probably in the world in this city. I wish it could be translated that we also have the highest per capita health care for people of this city in the world. It doesn't translate that way. That also seems to be the case in the way Hastings has proceeded.

We have the highest--one of the highest per capita lawyers per--number of lawyers per capita in the country--probably in the world in San Francisco. I think only Washington D. C. probably exceeds us, and so we ask what is the expansion occurring for, for what purpose? For what public good? 42-4

For those of you who viewed this project, we really have to ask ourselves with that history, there should have been something in the EIR which tends to ignore, which is a very important fact is that there is a certain kind of growth that is induced by growth of an institution. 42-5

The growth that occurred at the University of California Medical Center induced other growth in terms of other institutions wanting to build office buildings around their hospitals.

Saint Mary's is the most recent example, and there is also Saint Francis coming up. Before that, it was Pacific Medical Center. So the institutional problem in expansion and office space problem is certainly nothing that hasn't been before this city, and should not have come up again,

We have--we have references in the EIR to housing impacts. The housing. And when we think about the length of EIR and we think how the impact on our community and we look at the project itself, its direct impact on housing and the clear overwhelming opinion of the public is housing is the most critical issue how it could be so skimpy about that, about housing, is inconceivable. 42-6

For example, in no place in the EIR is there a specific mention about the fact that the housing units in the city in 1960 were about three hundred eleven thousand and that by 1980 we had gone to three hundred seventeen thousand. There was only a net increase of six thousand housing units. That should be a very important fact that should be before anyone who is trying to make an assessment about a decision to destroy housing in the city because at the same time we have an increase of a hundred thousand in the work force, and at the same time the housing prices and rents in this city became among the highest in the nation, whereas we were close to meeting other nations before. 42-7

And that not only affected the city, but affected the whole Bay Area. It spread like a cancer. We should have had something in the EIR that would have reflected the impact on institutional expansion in San Francisco and how it can affect and upset that housing beyond as it has occurred at UC-Med Center. 42-8

How many people are employed there on the staff and how much housing has been provided for the students and employees: none, zilch, very few, compared to the total impact.

The same thing happened in Berkeley. People in the development industry would actually decry how militant the housing activists are in Berkeley and have complained about the tenants having acted in exactly the draconian rent control legislation in Berkeley.

But we should ask how did it happen? It happened because of the same thing that's happening here. We have UC-California, Berkeley expanding its student body to thirty thousand students and not providing the housing for those students and going and dumping them on the community and creating a sociological disaster there.

All that experience should somehow deter your -- your project; or if it didn't deter it, it should have been revealed in your EIR and should have been made clear that you are proceeding and thinking of this project in spite of all those horrible realities. Those should not be swept under the rug.

You have a legacy to support. You should really stand up and support it or abandon the project.

More specifically, in the EIR there is some mention about the nine hundred sixty persons that will be added to the work force, and that is a very nice benefit. There is a claim in there somehow that they're going to be sucked up from other space and is this quite right saying that other space somehow is going to be occupied by somebody else. So there is going to be more of an impact. It's not going to be just a matter of nine hundred and sixty people coming in and then there is no impact on housing. 42-9

It could be a net increase then that means that net increase then there will be an impact on the housing supply, but worse than that, those same persons are going to create an impact and not only on San Francisco housing supply, but anyone who commutes outside the city, it will be impacting the area and the region. 42-10

The regional impacts on housing demand were not really addressed by this EIR. 42-11 The multiplier that will be produced by that impact was not addressed by the EIR. 42-12

And finally the alternatives that were referred to really are in a way a disgrace, maybe a joke. There is no doubt there should be one clear alternative that will say "what if we use this facilities for housing," period. That's all. No offices, nothing. 42-13

And why don't we use the financing capability and the ability for the institution to issue taxes and bonds to provide reasonable housing for the students and in that fashion be able to relieve the housing pressure there is on the whole city? 42-14 Why isn't an alternative shown that says as someone said before about the KGO building not providing for commercial space, as was suggested; 42-15 why can`t that be used for housing and converted for housing for students. 42-16 Why can't the institution bear up the responsibility to be using the facilities and the resources it has to take care of the needs of its mission, which is basically to educate students. 42-17 But if the students come here to be educated and you don't have housing to provide the housing for them -- those alternatives should be addressed and spelled out. 42-18

And with that, I strongly reiterate my first comment that the Final EIR with its comments be made available to the public, and as I heard you state, it will be made available for the public for at least thirty days so we can actually see and be able to, if necessary, communicate in writing to the people who will be reviewing that Final EIR to what extent the responses -- to these comments that have been made at the hearing have been properly addressed. 42-19

Thank you.

Mr. Etienne: Thank you sir.

Leon Zecha followed by Kathleen Baker.

Mr. Zecha: My name is Leon Zecha, and I am a resident, an employee -- and a community worker in the Tenderloin. I want to say that I feel these hearings are inappropriate. We should not be here today fighting to preserve 43-1 eighty-five units of housing. We should be here today demanding the three hundred and seventy-five units of housing you promised us and the court ordered for us. 43-2

The EIR, particularly the statements about the unfitness of the buildings, when Hastings acquired them, they were in good shape. Hastings failure to replace three hundred seventy-five units of housing they promised us and the court has ordered so and even the flyer you put out made it very clear that the administrators of Hastings are the most blatant sort of liars and nothing, no statement you make can be taken seriously. The Tenderloin -- 43-3 thank you.

The Tenderloin is one of the most active neighborhoods in the city. We are not going to sleep quietly and let you make -- run roughshod over us. 43-4

Mr. Etienne: Kathleen Baker followed by Hector J. Chinchilla.

Ms. Baker: Thank you. I'm Kathleen Baker, resident at the edge of the Tenderloin in one of the residential hotels, and I feel very strongly that we who experience this kind of life need to urge no more, do not brush aside lightly San Francisco's Residential Hotel Conversion Ordinance. 44-1

Outside my window I can see all the things that were mentioned by the man in the -- from the YMCA. Furthermore, the woman who is sitting to my right, who has gone, at age eighty was battered in the halls of our building. We are supposed to be in a safer area. We are not. We appreciate however, the way that your buildings that Hastings managers try to keep security 44-2 somewhat decent. And I understand it is effective there. I would plead for my community not just for me and my neighbors in my building where I try to work in the community worker as I do in San Francisco that you try to rehab 44-3 the hotels. That would be one helpful thing to do, and that you -- I'm sure would run them in a proper fashion, that you try also to house the students and relieve the pressures because there are many elderly persons where I live 44-4 in the Saint Lawrence Hotel next door to Macy's who need to move out.

There are many immigrants, second-world war veterans from the Phillipines who need to move to a decent place to live because of what our place has turned into. And the reasons for this happening in this hotel where I reside and in the many, many Tenderloin hotels is that that encourages the long-term tenant to get out and rents can go up. Do not take away more 44-5 housing. Please consider that housing is feasible. 44-6

And I think I should end with a certain very traditional Hebrew charge to your board, and to Hastings and the students at Hastings to try to leave the community, your community and our community better than you found it. 44-7

Thank you.

Mr. Chinchilla: My name is Hector Chinchilla, I am speaking on behalf of Hastings and also as a life-long resident of San Francisco and community I care deeply about.

But basically I'm here to express a concern about Hastings -- about Hastings insistence upon operating beyond the reach of local jurisdiction.

This institution has to conduct itself according to the letter and the spirit of the law. It teaches us as students to conduct ourselves according to a very high standard. I believe that the proposal of this project fails to comply with that high standard. I'll grant you that according to the law Hastings is not subject to local control, but the spirit of the law dictates that Hastings submit itself to the local control as dictated by the local needs and expressed here by the many people that have spoken. 45-1

Hastings fails to consider in its report that as part of the larger community it is not an autonomous entity that is free to roam at will and that it do what it pleases. It might indicate that it will do that anyway, but as an institutional member of this community, Hastings is under, perhaps, not legal obligation, but moral obligation and I know that doesn't go very far in the law -- to address the needs of the surrounding area.

Mr. Etienne: I hope so.

Mr. Chinchilla: This plan does not do that, sir.

The current plan demonstrates a callous disregard for the tremendous impact this project would have on the municipal services. 45-2

You have heard what it would do to housing, what about transportation? If you build this office building right down the street here and you employ and you fill it up with employees, they're going to have to get here somehow. How? On municipal transportation? How will that benefit our services are already taxed to the limit. 45-3

You know, with federal government cutting back on revenue sharing, this city stands to lose a lot of the services we already have. It can't afford to provide any more than it already does. 45-4

What about the parking problems? That would be dramatic, too. You note in your report there would be a loss of twenty some odd spaces, but you fail to consider the problems will be created, not only by the potential employees, but the people who receive the access to services that this building would provide. What are you going to do with them: are you going to provide parking space or build some high-rise parking structure to accommodate those needs? I would suggest to you that that only stands to hurt the community even more. 45-5

Quite frankly, I'm simply amazed how Hastings insists on being beyond local control and yet insists on taking the local services of this community and without putting anything back. Basically I think that Hastings wants its cake and at the expense of all those involved in the community. Lastly, the alleged advantages the community would get at best are spurious. I don't see any advantages. It's only going to create traffic problems and going to create parking problems. You're going to lose housing. It's going to tax municipal services. How does that benefit the community? 45-6

Quite frankly, the EIR's conclusion that the project will have minimal and negligible impact upon the community has little relation to reality. I would urge the Board of Hastings to go back and take a real good look at what it's doing. Take a look at the whole trend. If you are operating in good faith, then consider the housing problems. Then consider the transportation problems. Not just in numbers, but how that's going to affect the overall infrastructure of our city. 45-7

If you fail to do that, sir, this institution is failing--it's failing to show us that, you know, it has meaning or that the education and that the education that we receive here has meaning because if you will roam at will and do what you please without considering the residents of this area, then the education we get here is meaningless.

Thank you.

Mr. Etienne: Mr. Chincilla was our last speaker. I want to thank you for coming. The comments you made will be given consideration. Was there something you wanted to add to the record?

Mr. Paul: I would just like to -- I have spoken already. I just wanted to add a few things to the record. For the record, my name is Bradford Paul, I'm with the North of Market Planning Coalition. And I would just like to do three things quickly. Publicly I'd like to thank Terry Laine, Terry L-A-I-N-E, who is a volunteer with the organization and the neighborhood historian and archivist who helped do the graphics and spent a lot of time working on that.

I'd also like to publicly thank the students who came here today on behalf of the community and while Hastings reputation for a lot of reasons is not very good in the neighborhood.

I think the hundreds of students who have come through our neighborhood and worked in the Tenderloin housing and GAP have really made a difference in the lives of people who live in our neighborhood, and I want to thank them.

And finally, for the legal record, I'd like to incorporate by reference the five Department City Planning Final EIR's and those are the Ramada, Holiday Inn and Hilton EIR's, I believe, of 1981, and the Union Square West and Fifth and Market EIR's. And I don't want to do that in their entirety. It's a very long, but I do want to incorporate by reference those sections that address the specific significant environmental impacts out of the outlined in my earlier testimony. Thank you. 46-1

And I just have a question: specifically, do you know what the time line is from now on? 46-2

Mr. Etienne: No I don't. I started to say, thank you very much for your comments. They will be taken into consideration and evaluated, and responses will be made. The entire environmental document with your comments and responses will be available for public review prior to the decision being made on this project. Thanks very much.

Don Feeser, President, North of Market Planning Coalition

18-1 Section 15131 of the State California Environmental Quality Act Guidelines provides that economic or social effects of a project shall not be treated as significant effects on the environment, unless these effects are used to determine that physical changes were caused by the project. While there is no doubt that any large scale loss of housing stock would result in physical impacts because of the need for residents to locate elsewhere in San Francisco, demolition of the structures on this site would not have a significant physical impact because demolition does not involve a loss of housing stock since no one has lived in these residential units since 1978 and the structures will not be rehabilitated due to the extent of work required to bring the structures into compliance with applicable building and safety codes. The renovation of the former hotels has never been an alternative because such a renovation would not meet the objectives of Hastings. Please refer to response 1-5.

18-2 Hastings College of the Law obtained opinions from several licensed real estate brokers as to the availability of space to lease. The general consensus is that leased space is available in buildings in the area. It, therefore, appears possible that any business presently on-site could relocate within the neighborhood, if necessary and so desired.

18-3 There may be a slight increase in demand for support services to the proposed project, but it is doubtful that this will be sufficient enough to put pressure on existing residential properties.

18-4 The effect of the project on Muni is discussed on page 62 of the Draft EIR and also in responses 3-1 through 3-6 of this Final EIR.

18-5 The effect of the project on traffic at a regional level and also at intersections is examined on pages 56 to 59 of the Draft EIR. Please refer to responses 3-1 and 6-9, also.

18-6 Pedestrian use of the sidewalks on Golden Gate Avenue and Larkin Street is heaviest during the noontime hours; the potential significance of new shadows at this time has been considered as follows:

At 12:00 noon during the spring and fall months, the project will cast newly created shade on approximately one-half of the sidewalk on the north side of Golden Gate Avenue. The project will cast some newly created shade on the sidewalk on the south side of Golden Gate Avenue. Although more than half of this sidewalk is in existing shade at 12:00 noon, the proposed project will expand this to approximately three-fourths of the sidewalk. By 12:00 noon all shade cast by the proposed project on Larkin Street would have been eliminated.

At 12:00 noon during the summer months, there will be some newly created shade adjacent to existing shadows on the south sidewalk on Golden Gate

Avenue. The sidewalk on the north side will not be cast in shade. Newly created shade will be cast on the sidewalk area directly adjacent to the northwestern corner of the proposed project.

At 12:00 noon during the fall months, there will be some newly created shade adjacent to existing shade on sidewalks on both the north and south sides of Golden Gate Avenue and on the sidewalk on the east side of Larkin Street.

At 12:00 noon during the winter months, newly created shade will be cast adjacent to existing shade on the sidewalks on both the north and south side of Golden Gate Avenue. By 12:00 all shade cast by the proposed project on Larkin Street would have been eliminated.

These noontime effects are acknowledged but are not considered significant.

18-7 In the early morning hours from September to March, there will be newly created shadows falling on the Federal Building Plaza. During the month of December, these shadows would be at their maximum, lasting until 10:30 or 11:00 a.m. on December 21. These shadows would not be significant since they would cover a minimal part of the Plaza and since they would cover a minimal part of the Plaza. In addition, there is no seating in the portion of the Plaza that would be shaded.

18-8 The statement concerning the creation of vacancies within the City of San Francisco does not speak to any environmental impacts that are the subject of this EIR. Hastings acknowledges that governmental agencies leasing space in the proposed building could leave office space vacant. There is no indication, however, that this would create a significant environmental impact. Hastings assumes that any vacated office space would be filled eventually, but because of the average quality, small size (the average size of State office space was 8,200 nsf in 1986), and dispersed locations throughout San Francisco, the office space would have little potential for attracting tenants that are not already located in San Francisco.

18-9 Comment acknowledged; however, it does not pertain to an environmental issue. Please, also refer to response 6-2.

18-10 Although this comment does not pertain to environmental significance as discussed in the California Environmental Quality Act and therefore no response is necessary, Hastings acknowledges that there are many citizens with varying ideas of what would be best for the area. Hastings asserts that as a State agency with a constitutional responsibility to provide higher legal education for the benefit of all Californians, Hastings is pursuing this mission within the spirit and letter of applicable laws.

Art Agnos, Assemblyman

19-1 Comment acknowledged. This comment does not pertain to environmental matters within the context of California Environmental Quality Act.

19-2 Please refer to response 18-10.

19-3 Please refer to response 19-1.

19-4 Please refer to 19-1.

19-5 Mr. Agnos has introduced legislation that would prevent the University of California from constructing for-profit buildings.

19-6 Mr. Agnos plans to introduce legislation limiting the construction of buildings using government bonds that will be in direct competition with private development

19-7 Comment acknowledged.

Randy Shaw, Tenderloin Housing Clinic

20-1 Comment acknowledged. This comment does not pertain to environmental matters within the context of the California Environmental Quality Act.

20-2 Please refer to response 20-1.

20-3 The question of whether any units are substandard does not pertain to the adequacy of the EIR.

Tom Pulliam, Attorney for San Francisco Neighborhood Legal Assistance Foundation

21-1 Some State agencies that potentially would relocate into the proposed project would be moving employees currently in overcrowded space. In these cases, there would be little vacant office space created.

Other agencies relocating to the proposed project will create vacant office space. The amount of vacant space that would be created cannot be determined at this time because the specific agencies that would move into the proposed project have not been determined. (See Table 4 of the Responses to Comments for a list of State agencies that potentially would be compatible for consolidation into the proposed building.)

Vacant office space would be filled eventually, either by existing San Francisco workers or by employees new to San Francisco. Any new employees would have an insignificant effect on total employment in San Francisco and on housing demand because the average quality, size, and location of such vacant space would have little potential for attracting tenants that are not already located in San Francisco and also because the vacant office space would accommodate a small number of employees. The average size of State office space was approximately 8,200 square feet (net) in 1986. No State agencies were in office space that exceeded 27,500 square feet (net) or 36,600 square feet (gross).

21-2 Comment acknowledged. Please refer to response 15-15, also.

21-3 This comment does not pertain to the proposed project. The comment refers to litigation connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

21-4 Please refer to response 21-3.

Brad Paul, North of Market Planning Coalition

22-1 The State is interested in interim leasing of space in the proposed Golden Gate Building, but cannot make a final decision to lease space in this building until after completion of the Final EIR and project approval, if any. In the event that there is no State-leased space within the project, Hastings College would lease the space to other governmental agencies. In either case, potential employees would relocate from existing offices in San Francisco.

Some State agencies that potentially would relocate into the proposed project would be moving employees currently in overcrowded space. In these cases, there would be little vacant office space created.

Other agencies relocating to the proposed project will create vacant office space. The amount of vacant space that would be created cannot be determined at this time because the specific agencies that would move into the proposed project have not been determined. (See Table 4 of the Responses to Comments for a list of State agencies that potentially would be compatible for consolidation into the proposed building.)

Vacant office space would be filled eventually, either by existing San Francisco workers or by employees new to San Francisco. Any new employees would have an insignificant effect on total employment in San Francisco and on housing demand because the average quality, size, and location of such vacant space would have little potential for attracting tenants that are not already located in San Francisco and also because the vacant office space would accommodate a small number of employees. The average size of State office space was approximately 8,200 square feet (net) in 1986. No State agencies were in office space that exceeded 27,500 square feet (net) or 36,600 square feet (gross).

22-2 Please refer to response 15-4.

22-3 The Residential Hotel Unit Conversion and Demolition Ordinance is not relevant to the proposed project primarily because there is not an existing housing stock on the project site.

22-4 This comment does not pertain to the proposed project. The comment refers to litigation connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

22-5 The Final EIR contains comments and responses and will be available to the general public for at least 30 days prior to certification of the EIR.

22-6 Page 59 of the Draft EIR and responses 3-1, 9-48, 9-49, 14-50, 14-51, 14-52, and 26-4 discuss parking impacts.

22-7 Pages 62 of the Draft EIR and responses 3-3, 3-5 and 3-6 discuss impacts on Muni.

22-8 Please refer to response 18-7.

22-9 Comment acknowledged. Since a project need not be justified by CEQA, but rather have its physical impacts evaluated, the EIR has documented the need for the project as much as necessary.

22-10 Please refer to response 22-9.

22-11 Hastings intends to attract governmental agencies into the building by offering long-term, flat rate leases that would be more attractive than short-term leases.

22-12 Please refer to response 22-9.

22-13 While the proposed project would affect the existing retail and restaurant businesses on the site, this effect is not considered significant because the number of new on-site employees upon project completion will be greater than the number of workers presently on-site. The proposed project include retail and restaurant space on the ground floor that would be compatible with the needs of the building occupants. The retail and restaurant space will provide similar replacement jobs for retail and restaurant workers. At this time in project design it is not certain which restaurant will be located within the proposed project although the option remains open that the current restaurant facility would be located within the project. (See page 89 of the Draft EIR.) In addition, it should be noted that Hastings contacted real estate brokers and the general consensus was that leased space is available in the neighborhood. It, therefore, appears possible that any business could relocate within the neighborhood.

22-14 Please refer to response 1-5.

22-15 The disposition of former tenants in the context of this EIR does not pertain to environmental impacts of the proposed project.

22-16 Mr. Shorenstein is Chairman of Milton Meyer & Co., contract managers of the 100 McAllister building and consultants in real estate to Hastings.

22-17 This comment does not involve an environmental matter with the context of CEQA.

22-18 Please refer to response 14-74.

22-19 This comment refers to matters that are beyond the scope of CEQA.

22-20 An alternative of providing all new housing on the site would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use.

22-21 An alternative of rehabilitation of hotels and new housing on the parking lot would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use. This alternative would not provide an option which would increase the ability of the decision makers to make a choice among reasonable alternatives in light of Hastings primary mission as a public institution of higher education.

22-22 These alternatives would not produce enough space to allow the project to attain Hastings' objectives of providing space for educational use and space for consolidating governmental use. In addition, rehabilitation of the hotels would physically divide the site in such a way as to prohibit further development consistent with objectives of Hastings.

22-23 These five alternatives have been addressed in the responses to comments.

22-24 Please refer to response 14-74.

22-25 Please see response 14-8.

22-26 The proposed project is the only building that Hastings proposes for expansion at the present time. No long range development plan or institutional master plan for greater expansion or development exists at this time.

22-27 Please refer to responses 6-11, 7-1, and 7-7. Also, please note that the proposed project would create approximately 4,100 square feet of open space on the project site.

22-28 This comment does not pertain to the issues of compliance with the California Environmental Quality Act or the adequacy of the Draft EIR.

22-29 Request is acknowledged.

22-30 The Draft EIR has discussed mitigation measures where appropriate. The mitigation referred to in this comment is not applicable to the proposed project and does not require examination in the Final EIR.

22-31 Comment acknowledged. This comment does not pertain to environmental matters within the context of the California Environmental Quality Act.

22-32 Please refer to response 22-31.

22-33 Please refer to response 22-31.

Sue Hestor, San Franciscans for Reasonable Growth

23-1 Hastings recognizes the Downtown Plan EIR as a basis for many -- not all -- of the cumulative impacts found and recognized in the Golden Gate

Building EIR. Hastings will adopt its own findings and mitigations with reference to the Golden Gate Building EIR and any action it proposes to take as a result of considering that document.

23-2 Please refer to response 23-1.

23-3 Please refer to response 23-1.

23-4 Hastings will adopt its own findings and mitigations with reference to the Golden Gate Building EIR and any action it proposes to take as a result of considering that document. It should also be noted that the Office of Affordable Housing Production Program does not apply to "That portion of an office development project located on property owned by the State of California or any of its agencies, with the exception of such property not used exclusively for a governmental or educational purpose." (Section 313 (c)(2)(C).)

23-5 The creation of office space and office workers on the project site would not create a significant increase in demand for housing for several reasons: 1. the project would be occupied by governmental office workers who are currently working in dispersed locations throughout San Francisco. Since these employees are not new to San Francisco, they would not create an increased demand for housing; and, 2. any office space left vacant as a result of relocating governmental employees would be filled eventually, but because of the small size and dispersed locations, the vacant offices would accommodate only a small number of employees.

According to the City and County of San Francisco, large scale (emphasis added) office developments have attracted and continue to attract additional employees to the City, and there is a causal connection between such developments and the need for additional housing in the City. (Office Affordable Housing Production Program Ordinance No. 358-85, August 18, 1985.) The City of San Francisco applies OAHPP to office development projects proposing the net addition of 50,000 or more gross square feet of office space. Any office space that would be vacated by the State of California would be less than 50,000 gsf.

23-6 Please refer to response 23-1.

23-7 Hastings attests to the future educational use of the Golden Gate Building and will be responsible for guaranteeing that the educational use is provided as represented in the Draft EIR. Please also see response 15-5.

23-8 Please refer to response 14-74.

23-9 Please refer to response 22-1.

23-10 Financial assistance will enable Hastings to provide better staff, teaching resources, and scholarships for its students. However, since the issue does not pertain to an environmental effect, it is outside the scope of this EIR.

23-11 Please refer to response 23-10.

23-12 All non-building alternatives to generate financial benefits are not feasible to attain Hastings' objective of providing space for educational use and interim space for consolidating governmental use. The implementation of other alternatives to generate financial benefits to Hastings students would be speculative and could not be used to evaluate the comparative merits of the proposed projects and the other alternatives considered in the Draft EIR.

23-13 Please refer to response 22-30.

23-14 Please refer to response 23-12.

23-15 Financial assistance will enable Hastings to provide better staff, teaching resources, and scholarships for its students.

23-16 The State is interested in interim leasing of space in the proposed Golden Gate Building, but cannot make a final decision to lease space in this building until after completion of the Final EIR and the project is approved. The State agencies that potentially would move into the Golden Gate Building would come from the following list: Department of Rehabilitation; Department of General Services; Department of Justice; Department of Mental Health; Department of Consumer Affairs; Department of Fair Employment and Housing; Department of Health Services; Department of Industrial Relations; Department of Insurance; San Francisco Bay Conservation and Development; Department of Education; Employment Development Department; Department of Transportation; Department of Alcoholic Beverage Control; Department of Real Estate; Department of Food and Agriculture; Department of Savings and Loan; Department of Banking; California Housing Finance Agency; Department of Corporations; Department of Social Services; State Public Defenders; and Coastal Commission.

These State agencies are in San Francisco in buildings located at 185 Berry Street, 235 Montgomery Street, 631 Howard Street, 2351 Powell, 301 Junipero Serra, 30 Van Ness, 1390 Market, 1700 Montgomery, 2095 Jerrold, 1 Hawthorne, 939 Market, 100 Van Ness, 2720 Taylor, 2340 Irving, 3330 Geary, 1855 Folsom, 3425 Army Street, 595 Market Street and 350 Sansome.

A decision as to which agencies would potentially be relocated would require an examination and determination of the space requirements of the agency. In the event that there is no State-leased space within the project, other governmental agencies would lease space, relocating from existing offices within San Francisco in a manner similar to the potential relocation of State agencies.

23-17 Some State agencies that potentially would relocate into the proposed project would be moving employees currently in overcrowded space. In these cases, there would be little vacant office space created.

Other agencies relocating to the proposed project will create vacant office space. The amount of vacant space that would be created cannot be determined at this time because the specific agencies that would move into the proposed project have not been determined. (See Table 4 of the Responses to Comments for a list of State agencies that potentially would be compatible for consolidation into the proposed building.)

Vacant office space would be filled eventually, either by existing San Francisco workers or by employees new to San Francisco. Any new employees would have an insignificant effect on total employment in San Francisco and on housing demand because the average quality, size, and location of such vacant space would have little potential for attracting tenants that are not already located in San Francisco and also because the vacant office space would accommodate a small number of employees. The average size of State office space was approximately 8,200 square feet (net) in 1986. No State agencies were in office space that exceeded 27,500 square feet (net) or 36,600 square feet (gross).

23-18 Please refer to response 18-10.

Lillian Crosthwaite, North of Market Planning Coalition

24-1 This comment is acknowledged; however, it does not deal with environmental matters within the context of the California Environmental Quality Act.

Paul Wartelle, San Francisco Housing and Tenants Council

25-1 The structures on Lots 12 and 14 are not part of the existing housing stock because the portion of the structures that were formerly used as residential units have not been inhabited since 1978. Please refer to response 1-5.

25-2 Hastings will adopt its own findings and mitigations with reference to the Golden Gate Building EIR and any action it proposes to take as a result of considering that document.

25-3 The Office Affordable Housing Production Program is imposed by the City and County of San Francisco upon development within its jurisdiction. Hastings is an agency of the State of California and, like other State agencies, is excluded from local planning and zoning laws. In addition, the City and County of San Francisco recognizes that OAHPP does not apply to "That portion of an office development project located on property owned by the State of California or any of its agencies, with the exception of such property not used exclusively for a governmental or educational purpose." (Section 1360(c)(2)(C), OAHPP, August 18, 1985.) Other than the ground floor retail-commercial space in the proposed building, it will be used exclusively for governmental or educational purposes.

25-4 This comment does not pertain to the proposed project. The comment refers to litigation connected with a previous and unrelated project and it is therefore inappropriate to discuss the comment within the context of the proposed project.

25-5 Hastings is an agency of the State of California, and, like other State agencies, is excluded from local planning and zoning laws. Hastings attests to the future educational use of the Golden Gate Building and will be responsible for guaranteeing that the educational use is provided as represented in the Draft EIR.

25-6 Hastings has no institutional master plan calling for expansion beyond the Golden Gate Building at this time. Please refer to responses 7-10 and 25-5, also.

25-7 Please refer to response 25-5.

25-8 The Draft EIR compares the proposed project to Amendments to the City Planning Code to Implement the Downtown Plan. This comparison was chosen, rather than a comparison with goals of elements of the San Francisco Comprehensive Plan, because the City Planning Code is a codification of the Comprehensive Plan and provides a more specific, meaningful, and definitive comparison of the project with local plans, rather than a general comparison with goals and objectives of the Comprehensive Plan.

25-9 The Residence Element of the Comprehensive Plan of the City and County of San Francisco (June 28, 1984) is designed to preserve the quantity, quality, and affordability of existing housing (page vii). It is not appropriate to compare the proposed project with this element since there is not an existing stock of housing on the project site. Please refer to responses 1-5 and 25-5, also.

25-10 The proposed project does not destroy units of residential hotel space because the structures on Lots 12 and 14 are not part of the existing housing stock. Please see response 1-5, also.

25-11 The Residential Hotel Unit Conversion and Demolition Ordinance is not relevant to the proposed project because there is not an existing housing stock on the project site. Please refer to responses 1-5 and 25-5, also.

25-12 Please refer to response 25-5.

25-13 Hastings College has never contended that it is above the law; however, Hastings is an agency of the State of California and, like other State agencies, is excluded from local planning and zoning laws. Hastings attests to the future educational use of the Golden Gate Building and will be responsible for guaranteeing that the educational use is provided as represented in the Draft EIR.

25-14 Please refer to response 25-13.

25-15 Please refer to response 25-13.

Wayne Luk, Center for Southeast Asian Refugee Resettlement

26-1 Please refer to response 25-10.

26-2 The proposed project would replace the existing structures on the site, including the parking lot, with a 6 story building with 4,1000 square feet of open plaza space. There is presently no open space on the site, so the project would increase the open space in the area.

26-3 Your comments and concerns are acknowledged. The issue of affordable rents within the context of this EIR, does not pertain to the adequacy of the Draft EIR or compliance with the California Environmental Quality Act within the context of this EIR.

26-4 The unfulfilled demand for parking will place greater demand on the estimated 600 daytime spaces that are generally available during the daytime, including the on-street spaces. However, most of these spaces are metered, short-term spaces that are less convenient for resident parking. Street parking would be available during evening hours and weekends when there is no fee for use of the space.

26-5 The existing transit operators can adequately handle the increased demand from the project and other employment anticipated in the Downtown Plan when the improvements planned by transit operators are made. These improvements are itemized in the Downtown Plan EIR where an extensive transportation analysis was conducted. Please refer to response 14-58 for a full explanation of what transit improvements are and when they are scheduled to be implemented.

26-6 Hastings recognizes its obligation (and the desirability) to study alternatives. However, the alternatives in the Draft EIR have been developed in view of the following criteria:

- The objectives of Hastings, which are stated on page 11 of the Draft EIR. To elaborate further, these objectives are to provide additional needed space for existing and future educational functions. Until such time as Hastings requires use of the entire building for educational functions, it will be used to provide space for consolidating governmental functions. Literally thousands of configurations of different types of land use could have been studied for the project site, but the list was narrowed to those that were reasonable in light of Hastings' objectives. Alternatives that were speculative or remote in their chances of being implemented were not included in the Draft EIR.

- Hastings distributed a Notice of Preparation for a ten-story building with no step-backs on the upper two levels and a plaza. The FAR for this building was 6:1. (Alternative C in the Draft EIR.) As responses to the NOP were received, Hastings determined that this proposal was not receptive to the environment and Hastings considered a ten-story building with step-backs on the upper two levels and a plaza. (Alternative D in the EIR.) Hastings also considered a six-story building with no plaza that would have provided a FAR equal to the original ten-story proposal (Alternative B), but ultimately determined that a six-story building with a plaza would be most responsive to environmental impacts. In order for the Draft EIR to have a meaningful discussion of alternatives, the Draft EIR directed primary analysis to the six-story building with a plaza and directed an analysis of alternatives to proposals that had been considered but rejected in favor of a smaller alternative.

In order to provide further comparison between the proposed project and all alternatives in the Draft EIR, an analysis of a smaller alternative has been added as a Response to Comments (see Table 3 for a summary of the alternative analysis undertaken in the Draft EIR and a smaller alternative).

Joe Kaufman, North of Market Planning Coalition, Chairman of the Zoning Committee

27-1 Comment acknowledged. In view of the fact that the structures in question have not been used as housing for approximately ten years and it is economically infeasible to rehabilitate them, the issue of rents does not pertain to the adequacy of the Draft EIR or compliance with the California Environmental Quality Act within the context of this EIR.

27-2 Comment acknowledged.

27-3 The KGO Building was gifted to Hastings in December 1985. Hastings has retained consultants to study how this property might best be used. It is clear that this specialized telecommunications facility will not meet Hastings' objectives for the proposed project. However, no plans for the KGO Building will be made until the consultant report is received and evaluated.

Hastings has no present expansion plans beyond the Golden Gate Building.

27-4 Comment acknowledged.

Seamus Kilty, St. Anthony's Foundation

28-1 Comment acknowledged.

28-2 The portion of the structures on Lots 12 and 14 that were formerly used as residential units have not been occupied since 1978. The structures would require upgrading to bring them into compliance with applicable building and safety codes. For this reason, Hastings considers the structures unsuitable for occupancy. The structures will not be rehabilitated due to the extent of work that may be required and due to the fact that rehabilitation would not attain Hastings objectives of providing space for educational use and interim space for consolidating governmental use.

Carol Foerster, Tenderloin Neighborhood Development Corporation

29-1 Comment acknowledged.

Peggy Franz, North of Market Planning Coalition, Board of Directors

30-1 Please refer to response 15-5.

Hastings in its planning for the proposed project is following the California Environmental Quality Act (Public Resources Code, Section 21000 et seq. and the Hastings "Procedures for Implementation of the California Environmental Quality Act," adopted June 21, 1985.

30-2 The proposed project would not result in demolition of housing units, because there is not an existing stock of housing on the project site. Please refer to response 1-5, also.

30-3 It is acknowledged that the proposed project may result in the relocation of businesses presently on the site, but this would not necessarily result in business failures.

30-4 Please refer to response 22-4.

30-5 Hastings, in its planning for the proposed project, is following the California Environmental Quality Act (Public Resources Code, Section 21000 et seq. and the Hastings "Procedures for Implementation of the California Environmental Quality Act," adopted June 21, 1985.

30-6 There may be a slight increase in demand for support services to the proposed project, but it is doubtful that this will be sufficient enough to put pressure on existing residential properties.

30-7 The creation of office space and office workers on the project site would not create a significant increase in demand for housing for several reasons: 1. the project would be occupied by governmental office workers who are currently working in dispersed locations throughout San Francisco. Since these employees are not new to San Francisco, they would not create an increased demand for housing; and, 2. any office space left vacant as a result of relocating governmental employees would be filled eventually, but because of the small size and dispersed locations, the vacant offices would accommodate only a small number of employees.

30-8 The project would not have a significant effect on parking because the net deficit of 171 spaces could be accommodated by the estimated 600 unused spaces within approximately one-quarter mile radius from the project site and also because there is adequate transit capacity to accommodate the increased demand from the project.

30-9 The traffic intersection analysis indicates that intersections near the site will continue to operate, during the peak hour, at acceptable traffic levels (page 58, Draft EIR). Please refer to response 3-1, also.

30-10 Please refer to response 26-5.

30-11 Please refer to response 18-6.

30-12 Please refer to response 18-7.

The open space easement immediately south of the site is shaded by existing buildings at 10:00 a.m. and 3:00 p.m. throughout the year. The open space is also in existing shade at 12:00 p.m. during the summer and fall months. Approximately 70 percent of the open space is in existing shade at 12:00 p.m. during the winter months. The proposed project would not cast newly created shade on this open space.

30-13 The statement concerning the creation of vacancies within the City of San Francisco does not speak to any environmental impacts that are the subject of this EIR. Hastings acknowledges that governmental agencies leasing space in the proposed building could leave office space vacant. There is no indication, however, that this would create an adverse environmental impact. Hastings assumes that any vacated office space would be filled eventually, but because of its small size (the average size of State office space was 8,200 nsf in 1986) and dispersed locations throughout San Francisco, the office space would be filled by existing San Francisco demand or by a small number of new employees.

30-14 While the proposed project would affect the existing retail and restaurant businesses on the site, this effect is not considered significant because the number of new on-site employees upon project completion will be greater than the number of workers presently on-site. The proposed project would include ground floor retail and restaurant space that is compatible with the needs of the building occupants. The retail and restaurant space will provide similar replacement jobs for retail and restaurant workers. At this time in project design it is not certain which restaurant will be located within the proposed project although the option remains open that the current restaurant facility would be located within the project. (See page 89 of the Draft EIR.) In addition, it should be noted that Hastings contacted real estate brokers and the general consensus was that leased space is available in the neighborhood. It therefore appears possible that any business could relocate within the neighborhood.

30-15 Comment noted. Hastings, in its planning for the proposed project, is following the California Environmental Quality Act (Public Resources Code, Section 21000 et seq. and the Hastings "Procedures for Implementation of the California Environmental Quality Act," adopted June 21, 1985.

Kelly Cullen, Resident

31-1 Comment acknowledged.

31-2 Comment is noted. Although this comment does not pertain to the issue of compliance with the California Environmental Quality Act, and no response is technically necessary, it should be noted that the project site presently contains no open space and that the proposed project will include open plaza space.

31-3 The proposed project would not destroy housing as there is not an existing housing stock on the project site. Please refer to response 1-5, also.

31-4 Comment acknowledged.

31-5 Comment acknowledged.

31-6 Comment acknowledged.

31-7 Comment acknowledged. Through its consultant, Ted Kreines, Hastings met with neighborhood groups on July 15, 1985 during the preparation of the Draft EIR. On April 4, 1986, Hastings held a public hearing and heard comments from 30 neighborhood groups and/or residents. Hastings had pledged that, throughout this process, it will continue to seek public input.

Mark Bender, Student

32-1 Comment acknowledged.

32-2 All comments made at the public hearing are sought in order to consider their bearing on the Hastings decision. Comments will be responded to in the Final EIR. The Final EIR will be certified at a public meeting of the Hastings Board of Directors.

Dante Ventresca, YMCA Social Services

33-1 Comment acknowledged.

33-2 Comment acknowledged.

33-3 The College currently provides child care services through contract with a facility two blocks from the project site. Hastings has provided and continues to provide financial resources to the center.

33-4 The proposed project would not affect housing. Please refer to response 1-5.

33-5 Please refer to response 30-9.

33-6 Please refer to response 26-4.

33-7 Please refer to responses 9-68, 14-36, 14-37, and 14-38 for a discussion of shadow impacts.

33-8 As stated on page 90 of the Draft EIR, the proposed project would include about 960 government and education employees, 14 restaurant workers, 4 retail workers, and 14 janitorial/facility workers. The government and education employees would be comprised of workers presently in San Francisco. It is anticipated that the education employees would be those persons presently working in the education building on-site and/or persons from Hastings College. At this time, it is not certain which restaurant would be located within the proposed project, although the option remains open that the existing on-site restaurant facility would be located within the project. For this reason, the project could result in additional direct employment for 14 restaurant workers. The estimated 4 retail workers and 14 janitorial/facility workers would be new, additional employees. The project, therefore, could result in additional direct employment of 32 workers.

33-9 Comment acknowledged.

33-10 Comment acknowledged.

Clair Ward, Grey Panthers

34-1 Comment acknowledged.

34-2 Comment acknowledged.

Tommy Conner, Student

35-1 The 1977 EIR is not relevant to the proposed project. The 1977 EIR refers to a previous, unrelated project and is therefore outside the scope of this document.

35-2 The creation of office space and office workers on the project site would not create a significant increase in demand for housing for several reasons: 1. the project would be occupied by governmental office workers who are currently working in dispersed locations throughout San Francisco. Since these employees are not new to San Francisco, they would not create an increased demand for housing; and, 2. any office space left vacant as a result of relocating governmental employees would be filled eventually, but because of the small size and dispersed locations, the vacant offices would accommodate only a small number of employees.

The State is interested in leasing space in the proposed Golden Gate Building, but due to economic constraints cannot make a final decision to lease space in this building until after completion of the Final EIR and the project is approved. The State agencies that potentially would be compatible for consolidation into the Golden Gate Building are listed in Table 4 of the Final EIR, Response to Comments. A decision as to which agencies would potentially be relocated would require an examination and determination of the space requirements of the agency. In the event that there is no State-leased space within the project, other governmental agencies would lease space, relocating from existing offices within San Francisco in a manner similar to the potential relocation of State agencies.

Interim leasing of office space in the Golden Gate Building would allow the State to meet its goal of consolidating employees in a single building. Past experience has proven that it is more economical to house many State employees in one building than to have employees dispersed in many small offices. As stated in the San Francisco State

Building Final EIR, April 1980, and recommended in the San Francisco Facilities Plan, consolidation is recommended to increase economic, energy, and space efficiencies.

35-3 Some State agencies that potentially would relocate into the proposed project would be moving employees currently in overcrowded space. In these cases, there would be little vacant office space created.

Other agencies relocating to the proposed project will create vacant office space. The amount of vacant space that would be created cannot be determined at this time because the specific agencies that would move into the proposed project have not been determined. (See Table 4 of the Responses to Comments for a list of State agencies that potentially would be compatible for consolidation into the proposed building.)

Vacant office space would be filled eventually, either by existing San Francisco workers or by employees new to San Francisco. Any new employees would have an insignificant effect on total employment in San Francisco and on housing demand because the average quality, size, and location of such vacant space would have little potential for attracting tenants that are not already located in San Francisco and also because the vacant office space would accommodate a small number of employees. The average size of State office space was approximately 8,200 square feet (net) in 1986. No State agencies were in office space that exceeded 27,500 square feet (net) or 36,600 square feet (gross).

35-4 Demolition of the structures on Lots 12 and 14 would not result in a decreased supply of housing because the portion of the structures that were formerly used as residential units have not been occupied since 1978 and the structures will not be rehabilitated due to the extent of work required to upgrade the structures. Please refer to response 1-5.

35-5 Please refer to response 22-4.

35-6 The proposed project is different from most other office development in that the project would involve relocation of governmental agencies from dispersed locations throughout San Francisco and would not involve bringing employees new to San Francisco into the building. In addition, please refer to response 35-3.

35-7 This comment does not pertain to the proposed project. It is therefore inappropriate to discuss the comment within the context of the proposed project.

35-8 Since the proposed project will have no significant effect on the housing market, mitigation measures are not needed or required. Please refer to response 1-5.

35-9 Please refer to response 26-6.

Thomas Dedman, North of Market Planning Coalition

36-1 Comment acknowledged.

36-2 Hastings genuinely regrets this point of view, but acknowledges the comment. Furthermore, those views have been taken into account and allowed to influence the decision-making process.

36-3 It is not clear what people the speaker is referring to. The proposed project will not result in the displacement of persons from their homes.

36-4 Comment acknowledged.

36-5 Comment acknowledged.

Marsha Sherman, North of Market Child Care Center

37-1 Comment acknowledged.

37-2 It should be noted that Hastings has provided and continues to provide financial resources to the center and has in fact a contractual relationship with the center.

Jonathan Scop, Student

38-1 The April 4, 1986 public hearing was not required. It was an optional step in the process used to gain public input but was not intended to meet Hastings procedural requirements.

38-2 All Board members will be given the opportunity to view the tape prior to certification of the EIR.

38-3 The April 4, 1986 public hearing was intended to receive public input on the Draft EIR.

38-4 Comment acknowledged.

38-5 This question is noted; however, it does not pertain to the issue of compliance with the California Environmental Quality Act and a response is not necessary.

38-6 Comment acknowledged.

Richard Park, Travelers Aid Society

39-1 Comment acknowledged.

39-2 Comment acknowledged.

39-3 Comment acknowledged.

Han Herb, Resident and Student

40-1 Comment acknowledged.

40-2 The EIR is a good faith disclosure of impacts. Hastings is following the California Environmental Quality Act (Public Resources Code, Section 2100 et seq. and the Hastings "Procedures for Implementation of the California Environmental Quality Act," adopted June 21, 1985.

40-3 Comment acknowledged.

40-4 Comment acknowledged.

40-5 The proposed project would result in demolition of four structures, two of which were used as residential units until 1978. The feasibility of rehabilitating these structures was analyzed. It was determined that because of the extent of work that may be required to bring the structures into compliance with applicable building and safety codes, rehabilitation would be infeasible. The structures would require upgrading for fire protection, handicapped access, energy conservation, electrical protection, and structural strengthening for seismic protection.

Please refer to response 15-14.

40-6 Comment acknowledged.

40-7 Comment acknowledged.

40-8 As stated on page A-19 of the Draft EIR, project operation would not result in noise levels greater than those presently existing in the area.

Project construction would result in increased noise levels inside Hastings Law Library. During pile driving noise levels would reach about 85 dBA in the library, with windows closed. During the 28 weeks of building erection, noise levels would reach about 75 dBA in the library. When sound exceed 70 dBA, noise begins to interfere with concentration and work performance.

Demolition, excavation, and construction are estimated to take 21 months. During this time, it is possible that increased noise levels inside Hastings Law Library could interfere with students studying, however, the mitigation measures identified on pages 78 and 79 of the Draft EIR would reduce impacts from construction noise.

40-9 All comments made at the public hearing were sought in order to consider their bearing on the decision by Hastings. Comments are responded to in the Final EIR. The Final EIR will be available to the general public for at least 30 days prior to certification of the EIR. A decision to proceed with the proposed project can only occur after the Final EIR is certified. One public hearing was held on the Draft EIR on April 4, 1986. Sometime during the first half of 1987, the Board of Directors anticipates that it will consider the certification of the Final EIR and the proposed project. This Final EIR is a notice of that intent and the exact date, place and time of the Hastings Board meeting will be posted noticed, and circulated as provided by law. Any member of the public can appeal a Hastings Board decision through the appropriate legal process.

Margaret Lane, Student

41-1 Comment acknowledged.

41-2 Comments at the public hearing, along with responses to the comments, are part of the Final EIR. The Board of Directors anticipates that it will consider the certification of the Final EIR at the next Board meeting sometime during the summer of 1987.

41-3 Comment acknowledged.

41-4 Comment acknowledged.

41-5 Comment acknowledged.

John Bardis

42-1 The Final EIR will be available to the general public for at least 30 days prior to certification of the Final EIR by Hastings Board of Directors.

42-2 Comment acknowledged.

42-3 Hastings has unique constitutional, legislative, historical, and physical characteristics not shared with any other school in the U.C. system. Other campus physical plants are much larger and, accordingly, have greater flexibility for long term growth potential, requiring long range development plans. Hastings does not enjoy the flexibility for such long range development plans. The Master Plan for the UCSF campus is irrelevant with respect to the project which is the subject of this document and consequently outside the scope of this EIR.

42-4 The objectives of Hastings in proposing this project are stated on page 11 of the Draft EIR:

> "It is the objective of the College to develop needed space for educational functions while at the same time utilizing College owned property situated in a prime location adjacent to the San Francisco Civic Center to further State and local goals of consolidating governmental functions within the Civic Center area. Through the leasing of space to governmental agencies, the College would be able to provide additional needed space for educational functions and derive revenues for the College."

This is part of the overall general planning that Hastings must accomplish in order to meet its long-term future needs.

42-5 There is no comparison between the proposed project and the University of California Medical Center.

42-6 Please refer to response 35-2.

42-7 Comment is noted; however, the proposed project will not decrease the housing stock in San Francisco because there is not an existing supply of housing on the site. Please refer to response 1-5, also.

42-8 Please refer to response 42-5.

42-9 Please refer to response 35-2.

42-10 Please see response 35-2.

42-11 The project would not create a regional impact on housing. Please see responses 1-5 and 35-2, also.

42-12 Since the project would not have a regional impact on housing, there would be no multiplier effect.

42-13 An alternative of providing all new housing on the site would not attain Hastings' objectives of providing space for educational use and interim space for consolidating governmental use.

42-14 Comment acknowledged.

42-15 Please refer to response 15-7.

42-16 Please refer to response 15-7.

42-17 Please refer to response 23-10.

42-18 Please refer to response 26-6.

42-19 The Final EIR will be available to the general public for at least 30 days prior to certification of the EIR.

Leon Zecha, Resident

43-1 Comment acknowledged.

43-2 Comment acknowledged.

43-3 Comment acknowledged.

43-4 Comment acknowledged.

Kathleen Baker, Resident

44-1 The Residential Hotel Unit Conversion and Demolition Ordinance is not relevant to the proposed project because there is not an existing housing stock on the project site. Please refer to response 1-5.

44-2 Comment acknowledged.

44-3 Please refer to 22-14.

44-4 Comment acknowledged.

44-5 Comment acknowledged. The proposed project will not result in demolition of housing since there is not an existing supply of housing on the site. Please refer to response 1-5.

44-6 Please refer to response 22-14.

44-7 Comment acknowledged.

Hector Chincilla, Student

45-1 Hastings, in its planning for the proposed project, is following the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and the Hastings "Procedures for Implementation of the California Environmental Quality Act," adopted June 21, 1985. Please also refer to response 14-74.

45-2 The issue of public services has been discussed in the Initial Study prepared for the Golden Gate Building. This discussion can be found in the Draft EIR, Appendix A, Initial Study, pp. A-24 to A-26.

45-3 The Draft EIR presents the increased demand on traffic and municipal transportation on pages 53 to 59.

45-4 The issue of public services has been discussed in the Initial Study prepared for the Golden Gate Building. This discussion can be found in the Draft EIR, Appendix A, Initial Study, pp. A-24 to A-26.

45-5 There are anticipated to be a number of garage users, including students, faculty, office employees, people conducting business within the office, and other visitors of the office tenants. Hastings is committed to operating the garage using a progressive pricing structure that favors short-term over long-term use and commits that no less than 25 percent of the spaces will be marketed for short-term users.

45-6 It is true that the proposed project will add slightly to the demand for public services. These demands are insignificant and have been discussed in the Draft EIR, Appendix A, Initial Study, pp. A-24 to A-26.

45-7 The issue of Transportation and Circulation was explained on pages 47 to 68 of the Draft EIR and expanded in various responses to comments (e.g., responses 3-1 and 6-9) and was found not to have significant effects. The issue of housing was discussed on pages 91-94 of the Draft EIR and in various responses to comments. The project does not have a significant effect on housing. Therefore, there would not be a significant impact on the overall infrastructure of the City.

Brad Paul, North of Market Planning Coalition

46-1 Comment acknowledged. References are noted as incorporated into Mr. Paul's comments.

46-2 The Final EIR will be available to the general public for at least 30 days prior to its certification of the Final EIR. During the summer of 1987, the Board anticipates that it will consider the certification of the Final EIR and the proposed project. The exact date, place, and time of the Hastings Board meeting will be posted, noticed, and publicized, as provided by law.

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UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

# GOLDEN GATE BUILDING

## DRAFT

## ENVIRONMENTAL IMPACT REPORT

PUBLICATION DATE: MARCH 7, 1986
PUBLIC HEARING DATE: APRIL 4, 1986
PUBLIC COMMENT PERIOD: MARCH 7, 1986 TO APRIL 23, 1986

WRITTEN COMMENTS SHOULD BE SENT TO:
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UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF LAW

DATE: March 7, 1986

TO: Distribution List for the
Golden Gate Building EIR

FROM: Dean Bert S. Prunty

RE: Final Environmental Impact Report for the
Golden Gate Building

This is the Draft Environmental Impact Report for the Golden Gate Building. It has been prepared in accordance with the California Environmental Quality Act and the Amended University of California, Hastings College of the Law, Procedures for Implementation of the California Environmental Quality Act. The purpose of this EIR is to inform College decision makers and the public about the potential significant environmental effects of the proposed project.

A public hearing will be held on the adequacy and accuracy of this document on April 4, 1986. After the public hearing and the close of the public comment period, General Services will prepare and publish a document titled "Summary of Comments and Responses." This document will consist of a summary of all comments and recommendations on environmental issues received during the public comment period and will describe the disposition of significant environmental issues raised by the comments. The document may also specify changes or revisions to this Draft EIR. A list of persons, organizations and public agencies commenting on the Draft EIR will also be included. The Draft EIR together with the Summary of Comments and Responses document shall constitute the Final EIR on the proposed project.

The University of California, Hastings College of the Law, as Lead Agency for the proposed project, will use the Final EIR when making its decision whether to proceed with the project, or to consider other actions to achieve project objectives. The College's decision will be stated in a Notice of Determination which will be filed with the State of California, Office of Planning and Research.

This Draft EIR has been prepared by the University of California, Hastings College of the Law in conjunction with the California State and Consumer Services Agency, Shirley R. Chilton, Secretary; Department of General Services, William J. Anthony, Director; Office of Facilities Planning and Development, Loren C. Smith, Chief.

STATE CLEARINGHOUSE NO. 85021912

UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

# GOLDEN GATE BUILDING

## DRAFT

## ENVIRONMENTAL IMPACT REPORT

PUBLICATION DATE: MARCH 7, 1986

PUBLIC HEARING DATE: APRIL 4, 1986

PUBLIC COMMENT PERIOD: MARCH 7, 1986 TO APRIL 23, 1986

WRITTEN COMMENTS SHOULD BE SENT TO:
OFFICE OF THE DEAN
UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW
200 McALLISTER STREET, SAN FRANCISCO, CALIFORNIA 94102

On February 20, 1985 a Notice of Preparation was sent to various State and local governmental agencies. The project as originally contemplated and described in this Notice of Preparation called for the construction of a 10-story, 130-foot structure. However, during the CEQA process the College decided to change the height of the proposed project to 80-feet. Therefore, both the Initial Study and the EIR analyze effects associated with the 80-foot, 6-story project.

**UNIVERSITY OF CALIFORNIA**
**HASTINGS COLLEGE OF THE LAW**
**DRAFT EIR**

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# I. SUMMARY

## A. PROJECT DESCRIPTION

The University of California, Hastings College of the Law proposes to construct a building for educational and governmental purposes, including office space, on the southwest corner of the intersection of Larkin Street and Golden Gate Avenue in the City of San Francisco. The project architects are Skidmore, Owings & Merrill, San Francisco.

The project site encompasses Lots 10, 11, 12, 13, 14 and 15 of Assessor's Block 347 which is bounded by Hyde, Golden Gate, Larkin and McAllister Streets. The 37,812.5 square foot site has four structures currently used for restaurant, retail and educational purposes as well as a two-level parking lot. All of the on-site structures and the parking lot would be demolished for the proposed project.

The project would be 80-feet in height with a mechanical penthouse extending 16-feet above the building. The ground floor would include retail, lobby and restaurant space as well as a conference/meeting room and educational offices. A parking facility would be located on two levels below ground. An open space plaza with landscaping and seating arrangements would be located on the site's eastern perimeter. An additional open space buffer separating the proposed project from the residential units on the site's southern perimeter would be included as a part of the project design.

The proposed project would contain about 6,280 gross square feet of retail and restaurant space on the ground floor and about 160,530 gross square feet of educational and governmental space, including offices. The proposed project would have a gross floor area applicable to the Floor Area Ratio (FAR) of 211,660 square feet, resulting in an on-site FAR of 5.6:1 for the 37,812.5 square foot development site.

The main pedestrian entrance to the proposed project would be two stories in height and centrally located on Golden Gate Avenue. A second pedestrian entrance would be located within a porch connecting the open space plaza on the site's eastern perimeter with the building. Two off-street loading spaces and the entrance to the below ground parking facility would be accessible from Larkin Street.

Demolition of the four on-site structures and the parking lot, scheduled to begin in 1986, would take about four weeks. Excavation and construction would then continue for an estimated 20 month period until project completion and full occupancy in 1988.

## B. POTENTIAL ENVIRONMENTAL EFFECTS CONSIDERED IN THIS DOCUMENT

### LAND USE AND ZONING

The project site is in the C-3-G (Downtown General Commercial) Use District. The height and bulk classification is 80-X, with a locally allowed height of 80-feet and no bulk limitations. The proposed project would be compatible with City zoning classifications for the site.

The proposed project would contain about 160,530 gross square feet of governmental and educational space, about 5,000 gsf of restaurant space and 1,280 gsf of retail space. Accompanying project development there would be an increase in intensity of land use of the project site and a corresponding increase in demand for commercial services such as retail and restaurant facilities within the project area.

### URBAN DESIGN AND VISUAL QUALITY

At a height of 80 feet, the proposed project would be visible only in the short to mid-range views. In the short-range, views of the project would blend with the nearby State Building on Golden Gate Avenue and the College Law Library. In the mid-range view, the project would be visible from portions of the Civic Center Plaza located to the south of the project site. Due to the similar height of other nearby structures, only the upper levels of the proposed project would be visible from top floors of the San Francisco City Hall.

Facade materials used in the project would be an architectural precast similar in color and finish to the College Law Library. Canopies or awnings would be located above the ground floor clear glass windows which will add to the pedestrian scale. Project design would include a three-part composition with a base (ground floor/service level and second floor), a middle section (office floors three through five), and a top (office floor six with terrace/planter setbacks along a portion of the two long sides of the building).

The building would be set back about 12.5 feet from the southern lot line in order to provide an open space buffer separating the project from the residential units located on the site's southern perimeter. The buffer area would be landscaped with trees and shrubbery.

An additional open space plaza would extend along the site's eastern perimeter. This plaza would connect with the sculpture garden adjacent to the College Law Library and would extend the entire distance from Golden Gate Avenue to McAllister Street. Landscaping and seating arrangements would be included within this plaza.

## WIND AND SHADOW

The proposed project would not shade any properties under the jurisdiction of the Recreation and Park Commission. During fall, winter and spring months in morning hours, the project would cast shade on sidewalk areas bordering the site on Golden Gate Avenue and Larkin Street. By 12:00 noon, shadows cast by the proposed project on sidewalk areas across Larkin Street from the project site would be eliminated. Other than during winter months, shade cast on sidewalk areas across Golden Gate Avenue from the site would be eliminated in afternoon hours. In addition, during morning hours of winter months shade will be cast on about 2% of the Federal Building's plaza area located diagonally across Golden Gate Avenue from the project site. However, by 12:00 noon all shade cast by the project on the Federal Building Plaza would be eliminated. Throughout the year the proposed project would not cast shade on the residential structures situated on the southern perimeter of the project site.

Wind tunnel tests were performed for 15 locations in, and adjacent to, the project site. Without the proposed project, two locations in the vicinity of the site are above the 11 miles per hour pedestrian comfort level. These locations include the southeast and northeast corners of the intersection of Larkin Street and Golden Gate Avenue. Upon project completion, only one of these locations, the northeast corner of Larkin and Golden Gate, would remain above the 11.0 pedestrian comfort criterion level. This location would remain constant at the existing wind speed level of 11.2 miles per hour. One location within the plaza area to be constructed adjacent to the project would slightly exceed the 7 miles per hour sitting area comfort criterion. However, the careful placement of landscaping within the plaza area would reduce wind speeds.

## ARCHAEOLOGICAL AND HISTORICAL RESOURCES

The project would require demolition of four structures, none of which are included in the 1976 San Francisco Department of City Planning Architectural Survey. Three of the existing on-site structures are rated "D" and one structure is rated "C" by the Foundation for San Francisco's Architectural Heritage. Archival research for the site suggests the possibility that cultural resources from the Prehistoric, Gold Rush and American periods may be present.

## TRANSPORTATION, CIRCULATION AND PARKING

Sidewalk detours and curb lane closures on Golden Gate Avenue and Larkin Street adjacent to the project site would be required during project construction. Demolition and excavation would generate about 30 to 35 truck trips per day.

On the basis of land use, the project would generate about 4,766 person trip-ends per day. About 788 of these trips would occur during the p.m. peak period and about 497 trips would occur during the p.m. peak hour.

The proposed project would replace the 180 currently existing on site parking spaces with a 160 space below ground parking facility. The proposed project would generate demand for about 131 long-term parking spaces and 20 short-term spaces. Assuming the demand for all of the existing on-site spaces would remain, the project would result in a net deficit of 171 off-street parking spaces.

Demand from the proposed project would generate about 496 p.m. peak period transit trips, with about 301 of these trips occuring during the p.m. peak hour. The transit demand would be between 0.06 to 0.70% of the total peak-hour travel demand on the individual transit carriers in the year 2000 depending on the transit mode (e.g. Muni, BART, Sam Trans, etc.).

The project would provide two off-street loading spaces and a delivery dock accessible from Larkin Street. At full operation, it is estimated that about 10 to 15 truck visits would be made daily to the project site between the hours of 8:00 a.m. to 5:00 p.m.

## AIR QUALITY

Although project-related vehicular traffic will add to cumulative regional pollutant emissions, the project itself, as well as project-generated vehicular traffic, will not cause violations of the State or Federal 8-hour average carbon monoxide standards for vehicular emissions at the intersections of Larkin and Golden Gate, Hyde and Golden Gate, and Larkin and McAllister Streets. Project-related traffic would account for approximately 0.4% of the anticipated 1990 CO emissions generated in the C-3 Downtown Plan area and an infinitesimal portion of the total daily Bay Area emissions of CO in 1990. Project-generated traffic would also generate approximately 0.2-0.4% of the total daily emission from the Downtown Plan area of hydrocarbons and nitrogen oxides.

## CONSTRUCTION NOISE

During the project construction period, noise levels would be increased in the vicinity of the site. Construction noise levels would fluctuate depending on the construction phase, equipment type and duration of use, the distance between the noise source and the listener, and whether barriers were present between the source and the listener.

It is probable that pile drivers would be required during the construction period. If pile drivers are required, noise levels within the commercial-residential structures opposite the project site on Golden Gate Avenue would be expected to reach 92 dBA with windows open and 82 dBA with windows closed. Noise levels within the residential units located on the site's southern perimeter and the College Law Library on the eastern perimeter would reach about 95 dBA with windows open and about 85 dBA with windows closed. Noise levels within the State Building located at 455 Golden Gate Avenue would reach about 82 dBA with windows closed.

## ENERGY

The demolition and removal of existing on-site structures would require an unknown amount of energy. Project construction, including fabrication, transportation of building materials and workers as well as site development would require about 380 billion Btu of energy in the form of gasoline, electricity, natural gas and diesel fuel. Upon project completion, the total estimated annual energy use would be about 25 billion Btu. The total project-related annual transportation energy consumption is estimated to be about 26 million Btu.

The proposed project will either meet or exceed the standards required by Title 24 of the California Administrative Code.

### EMPLOYMENT AND HOUSING FACTORS

The proposed project would displace a retail merchandiser, restaurant, parking lot and educational users. The College will work with the on-site educational users to locate satisfactory interim space and it is anticipated that upon project completion these workers would be located within the project. The proposed project would include retail and restaurant space which would provide similar replacement jobs for retail, restaurant and facility workers. Upon project completion, it is estimated that about 900 additional workers would be located within the site.

Demolition, excavation and construction activities are expected to occur over a 21-month period and generate about 183 person-years of employment. The jobs generated by construction activity would create additional Bay Area employment through a multiplier effect. As a result of this effect, about 284 additional person-years of employment would be generated.

It is anticipated that governmental agencies locating within the proposed project would relocate to the site from other locations within the City of San Francisco. It is also probable that these governmental employees will not be vacating their current offices, but instead, the project would provide expansion space to fill the need created by current conditions of overcrowding. Therefore, the increase in employment at the project site does not represent employment which is new to San Francisco.

Because governmental workers would be moving to the project site from dispersed locations throughout the City, no additional demand for housing would occur because it is assumed that these workers will continue to reside in their present locations.

## C. MITIGATION MEASURES

-- An open-space plaza would be built on the site's eastern perimeter. Landscaping and seating arrangements would be included within the plaza.

-- An additional open-space buffer area would be built on the site's southern perimeter to separate the residential structures from the increased intensity of land use caused by the proposed project.

-- To lessen light and glare, the project would include non-reflective glass and the plaza areas would utilize non-glare lighting with minimal foot candles.

-- Building materials would be complementary to that used in surrounding similar structures and the exterior cladding would be neutral in hue.

-- An archaeologist will meet with soils engineers and will instruct excavation and foundation crews regarding the potential for discovery of cultural or historical artifacts.

-- Safe and convenient pedestrian walkways would be maintained around the project site during the construction period.

-- Construction traffic would be routed away from heavily travelled streets and construction traffic trips would be scheduled during non-commute hours whenever possible.

-- A transportation system management program would be initiated by the State of California and would include ridesharing programs, carpools and vanpools, flex-time and staggered work hours, on-site transit services and installation of bicycle parking.

-- Soil and demolition materials would be watered twice daily to reduce dust caused by construction activities.

-- Impact tools would have intake and exhaust muffled. The project contractor would be required to muffle and shield intakes and exhaust, shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment, as feasible, so that noise emissions from equipment other than impact tools would be limited to 80 dBA at a distance of 100 feet.

-- If pile-driving is required, the general contractor would pre-drill pile holes.

-- Barriers would be constructed around the project site and around stationary equipment to reduce construction noise by as much as 5 dBA.

-- Construction activities would be limited to the hours between 7:00 a.m. and 8:00 p.m.

-- See this EIR, Appendix A, Initial Study for an additional discussion of mitigation measures which would be implemented as a part of the project design.

## D. ALTERNATIVES

### Alternative A: No Project

This alternative involves no change to the project site as it currently exists. Four structures and the two level parking lot would remain presumably in current use and condition. Future options for development of the site would remain open. The College has rejected this alternative because needed space for educational and governmental functions would not be built and the most efficient land use of the site would not be achieved.

### Alternative B: Six-Story Structure/No Plaza

A six-story structure extending to all lot lines would be developed on the project site. The structure would be used for educational and governmental space, including offices. Total building area would be about 281,000 square feet. Transportation, circulation, parking, employment, air quality and energy impacts would be proportionately greater than those of the proposed project. This alternative was rejected because an open space plaza on the eastern lot line and an additional open space buffer separating the project from the residential units on the site's southern perimeter would not be built.

### Alternative C: Ten-Story Structure without Step-Backs and Roof Terraces

This alternative consists of a 10-story, 130-foot building extending to northern and western lot lines. An open space plaza would be located on the eastern and southern site perimeters. A parking facility would be located on two levels below ground. Ground floor use would include restaurant, retail, conference/meeting room and educational space. Upper floors of the building would be used for educational and governmental space, including offices. Total building area would be about 280,000 square feet and impacts other than wind and shade would be similar to those described for Alternative B, above. Wind speeds would range from 4.8 to 13.7 miles per hour. Shadow impacts would be increased on Golden Gate Avenue throughout the fall, winter and spring months.

The College has rejected this alternative because the predicted wind speed at the northeast corner of the intersection of Golden Gate and Larkin would reach 13.7 miles per hour.

### Alternative D: 10-Story Structure with Step-Backs and Roof Terraces on the Upper Two Floors

This alternative consists of a 10-story structure, 130-feet in height. The building would extend to northern and western lot lines and an open space plaza would be located on the site's eastern and southern perimeters. The plaza would extend 64 feet from the building to the College Law Library on the east and would extend 27.5 feet to the residential units on the south. This project is similar to Alternative C, above. However, the upper two floors would include step-backs and roof terraces, shaping the structure at its top. Total building area would be about 264,000 square feet.

Through the creation of step-backs and roof terraces on floors 9 and 10, wind speed at the northeast corner of Larkin and Golden Gate would be reduced from 13.7 miles per hour to 11.8 miles per hour. This alternative exceeds the City's height limitation for the project site by 50 feet. Other potential significant impacts associated with this alternative would be reduced to an insignificant level through mitigation measures. Plaza areas adjacent to the eastern and southern site perimeters would be larger than open space areas associated with the proposed project. Although the College considers this alternative to be the preferred project, in a spirit of cooperation with the City of San Francisco, this alternative was rejected.

## E. COMMUNITY CONTROVERSY

The main area of controversy centers around the use of the project site for governmental and educational, instead of residential, purposes. The structures located on Lots 12 and 14 of the project site served as residential hotels in past years. In the late 1970s the College wanted to close the hotels for residential purposes because they were unsafe and in a condition of disrepair.

The movement of persons from Lots 12 and 14 is the subject of current litigation, McKeon, et. al. v. Hastings College of the Law. A judgment was issued in this case against the College by the Superior Court of the City and County of San Francisco on July 2, 1982. Although the College removed 85 uninhabitable units from the market while providing 90 additional residential units, the trial court judgment stated that the College must provide an additional 375 units of comparable replacement housing. This judgment is currently on appeal and at such time as the appellate process is completed the College will abide by the decision. At no time, however, was the College required to provide housing units on the site of the proposed project. The College has examined the feasibility of rebuilding the structures located on Lots 12 and 14 to provide housing. This possibility was rejected because it was economically prohibitive and would not carry out the objectives of the proposed project.

# II. PROJECT DESCRIPTION

## A. PROJECT SPONSOR'S OBJECTIVES

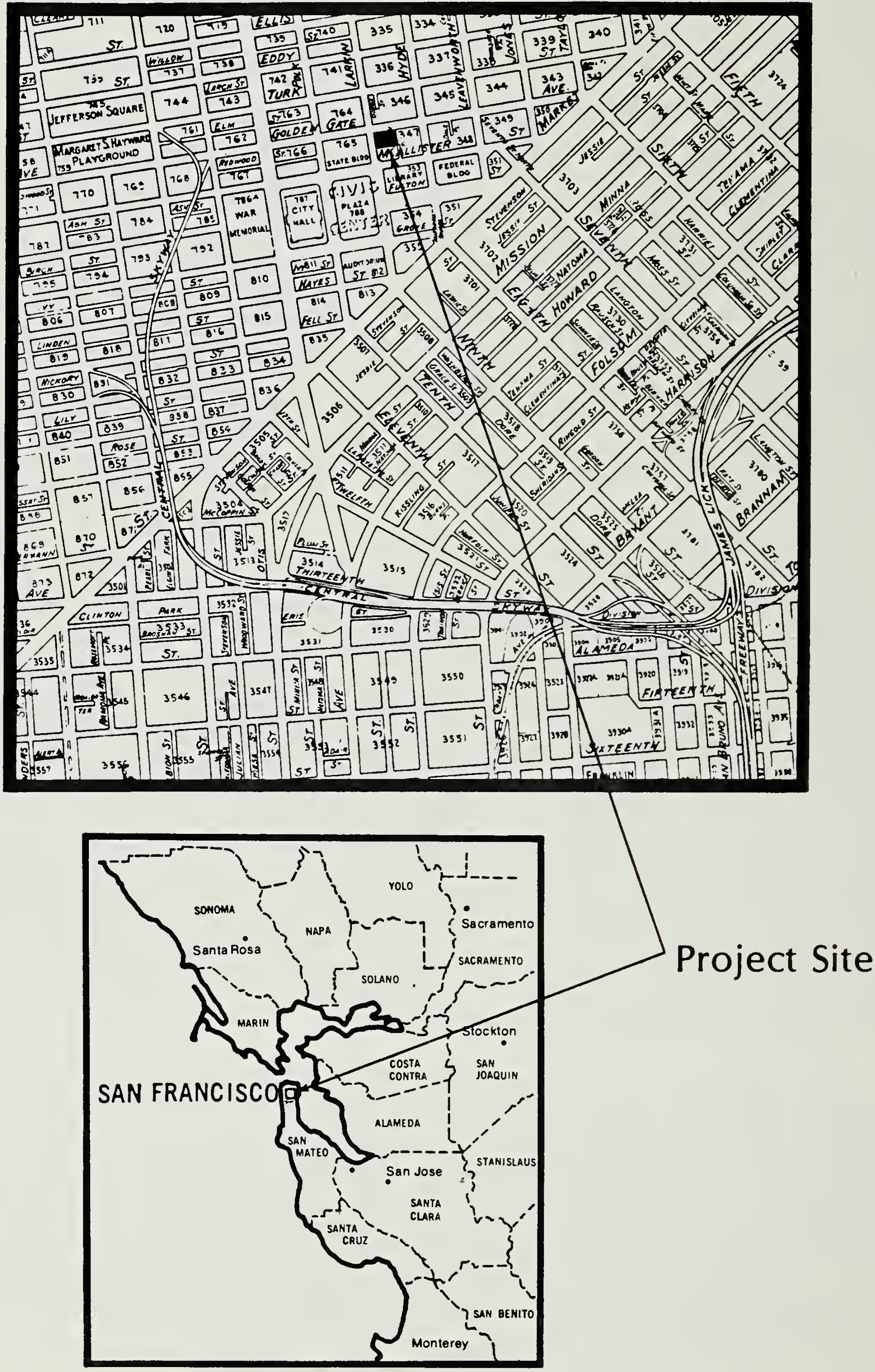
The University of California, Hastings College of the Law proposes to construct a 6-story, 80-foot building for educational and governmental use, including office space, at the southeast corner of Larkin Street and Golden Gate Avenue in San Francisco. It is the objective of the College to develop needed space for educational functions while at the same time utilizing College owned property situated in a prime location adjacent to the San Francisco Civic Center to further State and local goals of consolidating governmental functions within the Civic Center area. Through the leasing of space to governmental agencies, the College would be able to provide additional needed space for educational functions and derive revenues for the College.

## B. PROJECT LOCATION

The project site will encompass Lots 10, 11, 12, 13, 14 and 15 of Assessor's Block 347 which is bounded by Hyde, Golden Gate, Larkin and McAllister Streets. See Figure 1. The 37,812 square foot project site fronts Golden Gate Avenue and Larkin Street. A State Building is situated directly across Larkin Street and a Federal Building is situated diagonally across Golden Gate Avenue from the project site. Residential and commercial uses are located on the site's southern perimeter and directly across Golden Gate Avenue. The proposed project would replace four structures, ranging in height from one to three floors, containing educational, retail and restaurant uses, and vacant space. The project would additionally replace a 176-space parking lot with a two level below ground parking facility. The structures proposed to be demolished are 361-365 Golden Gate Avenue, 355 Golden Gate Avenue, 343-349 Golden Gate Avenue and 333 Golden Gate Avenue.

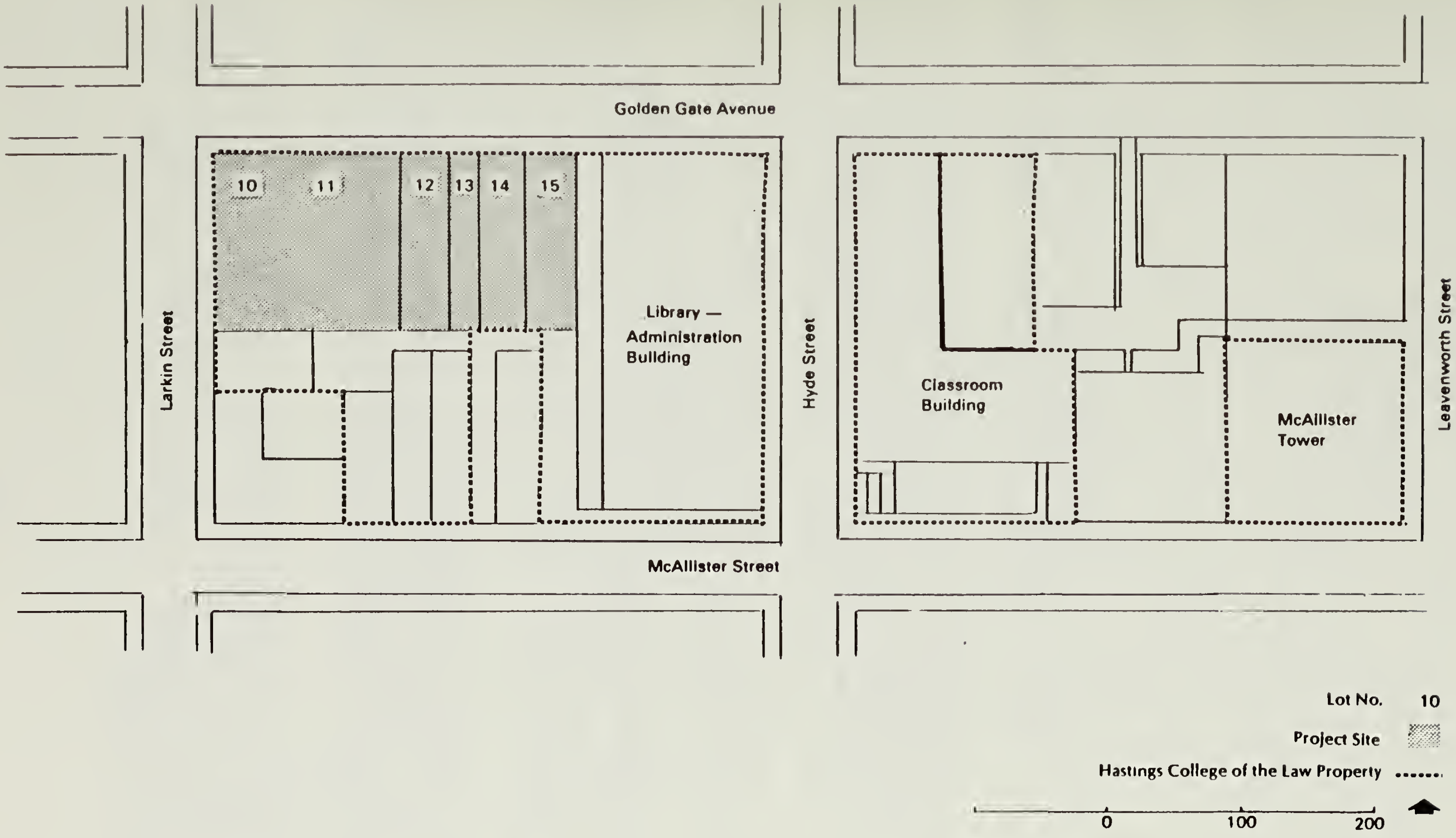
Although both the owner and probable primary user of the project are not subject to local regulations, the proposed project is compared to land use controls contained in the City of San Francisco, Downtown Plan, in order to determine potential significant effects on the environment. The project site is located in the C-3-G (Downtown General Commercial) Use district. As allowed under the San Francisco Downtown Plan dated October 17, 1985, the basic Floor Area Ratio (FAR) is 6:1. The height and bulk classification is 80-X, with a locally allowed height of 80 feet and no bulk limitations.

## REGIONAL LOCATION Figure 1



## PROJECT SITE

Figure 2



## C. PROJECT CHARACTERISTICS

The 80-foot project would be six stories in height and would contain a two level below grade parking facility. A mechanical penthouse would extend an additional 16-feet above the project. As calculated under the Downtown Plan, the project would contain about 211,660 gross square feet of floor area; excluding basement space used for services necessary to the maintenance of the building, penthouses and other mechanical equipment necessary to the maintenance of the building, ground floor pedestrian and service uses, ground floor retail and restaurant space, and about 15,900 square feet of accessory parking space equal to seven percent of the proposed gross floor area. This would result in a Floor Area Ratio (FAR), the ratio of the building floor area to the size of the project site, of approximately 5.6:1 for the 37,812.5 square foot development site. The total governmental and educational space, including offices, would be about 160,530 gross square feet. Project characteristics are summarized in Table 1.

The proposed project will contain ground floor lobby, retail and restaurant space as well as a conference/meeting room. Educational space, which is administrative in nature and not classroom space, will be located on portions of the first and second floors. Floors two through six will contain space for governmental uses, including offices.

Two off-street loading spaces would be accessible from Larkin Street. The entrance to the below-ground parking facility would also be from Larkin Street.

The main pedestrian entrance to the building would be two stories in height and centrally located on Golden Gate Avenue. A second pedestrian entrance would be located within a porch two stories in height connecting the open space plaza on the site's eastern perimeter with the building.

The project design would consist of a three part composition with a base containing the ground floor, service level and second floor, a middle section (floors three through five), and the upper portion (floor six) containing terrace/planter setbacks on the two horizontal sides of the building.

Canopies or awnings would be located above the ground floor clear glass windows to add to the pedestrian scale. The windows on floors two through six will be tinted, non-reflective glass. Facade material would be an architectural precast similar in color and finish to the College Law Library.

## TABLE 1: PROJECT CHARACTERISTICS

| Proposed Floor Area | Area Applicable to FAR under Downtown Plan | Area Excluded from FAR under Downtown Plan |
|---|---|---|
| Two-level below ground parking facility | 51,130 sq. ft. | 15,900 sq. ft. (amount equal to 7% of proposed gross floor area) |
| Restaurant | -- | 5,000 sq. ft. |
| Retail | -- | 1,280 sq. ft. |
| Educational and governmental space, including offices | 160,530 sq. ft. | -- |
| Totals | 211,660 sq. ft. | 22,180 sq. ft. |

## TABLE 2: PROJECT SITE CHARACTERISTICS

| | | | |
|---|---|---|---|
| Site Dimensions | 275 x 137.5 | = | 37,812.5 sq. ft. |
| FAR as permitted under Downtown Plan | 6:1 | = | 226,875 sq. ft. |
| Project FAR | 5.6:1 | = | 211,660 sq. ft. |

The building will be set back about 12.5 feet from the southern lot line in order to provide an open space buffer separating the project from the residential units located on the site's southern perimeter. An open space plaza with controlled hours will extend along the site's eastern perimeter. This plaza will connect with the sculpture garden adjacent to the College Library and will extend the full distance from Golden Gate Avenue to McAllister Street. The plaza area on the project site would comprise about 4,100 square feet. However, the entire plaza area including the garden currently existing adjacent to the College Library and the plaza extension to McAllister Street would be about 13,000 square feet. Landscaping and seating arrangements will be included within the plaza.

## D. PROJECT SCHEDULES AND APPROVAL

Demolition, excavation and construction activities are expected to occur over a 21 to 24 month period, beginning in 1986 and ending in 1988.

The first step in processing the proposed project is a public review of the Draft EIR. Following the 45-day public review period and the public hearing on this Draft EIR, the College, as Lead Agency for the project, will prepare the Final EIR. The Final EIR for the project will consist of the Draft EIR or revision of the Draft EIR, the comments and recommendations received through the public review process either verbatim or in summary, the College's responses to significant environmental points raised during the public review process and a list of persons, organizations and public agencies commenting on the Draft EIR. The Final EIR will be made available for public review before a decision on the project is made. The project will not be approved or carried out if the completed Final EIR identifies one or more significant environmental effects resulting from the project unless findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding is made in writing. The College will certify that the EIR has been prepared in compliance with the California Environmental Quality Act and has been considered in the decision making process (pursuant to Public Resources Code Section 21108). The College's decision to proceed with the project or to consider other actions that would achieve project objectives will be stated in a Notice of Determination filed with the State of California, Office of Planning and Research.

This Environmental Impact Report is intended to be used by the College in its decision making process and to provide the College and the public with detailed information on the environmental consequences of the proposed project as well as feasible mitigation measures which would reduce potential significant impacts to an insignificant level.

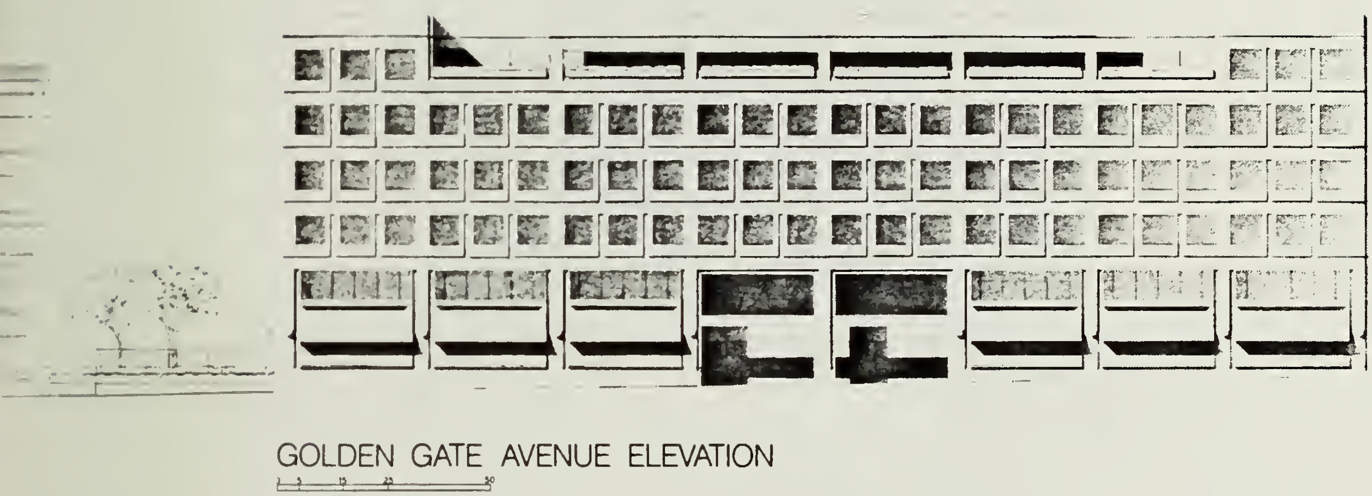


Figure 3. Golden Gate Avenue Elevation.

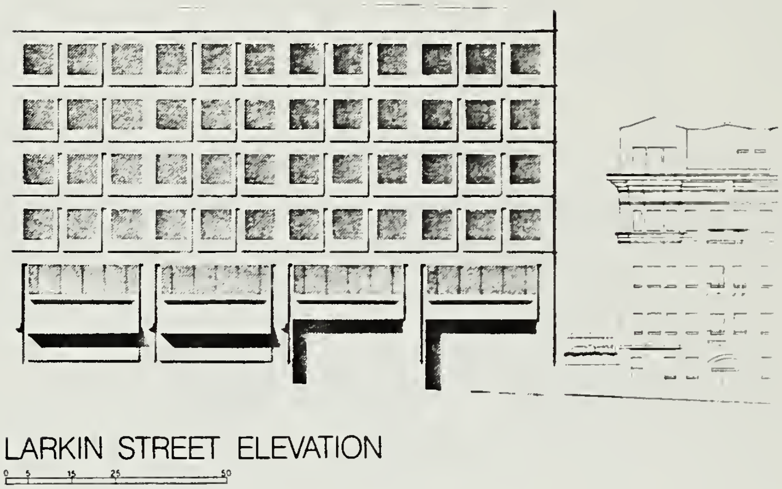


Figure 4. Larkin Street Elevation.

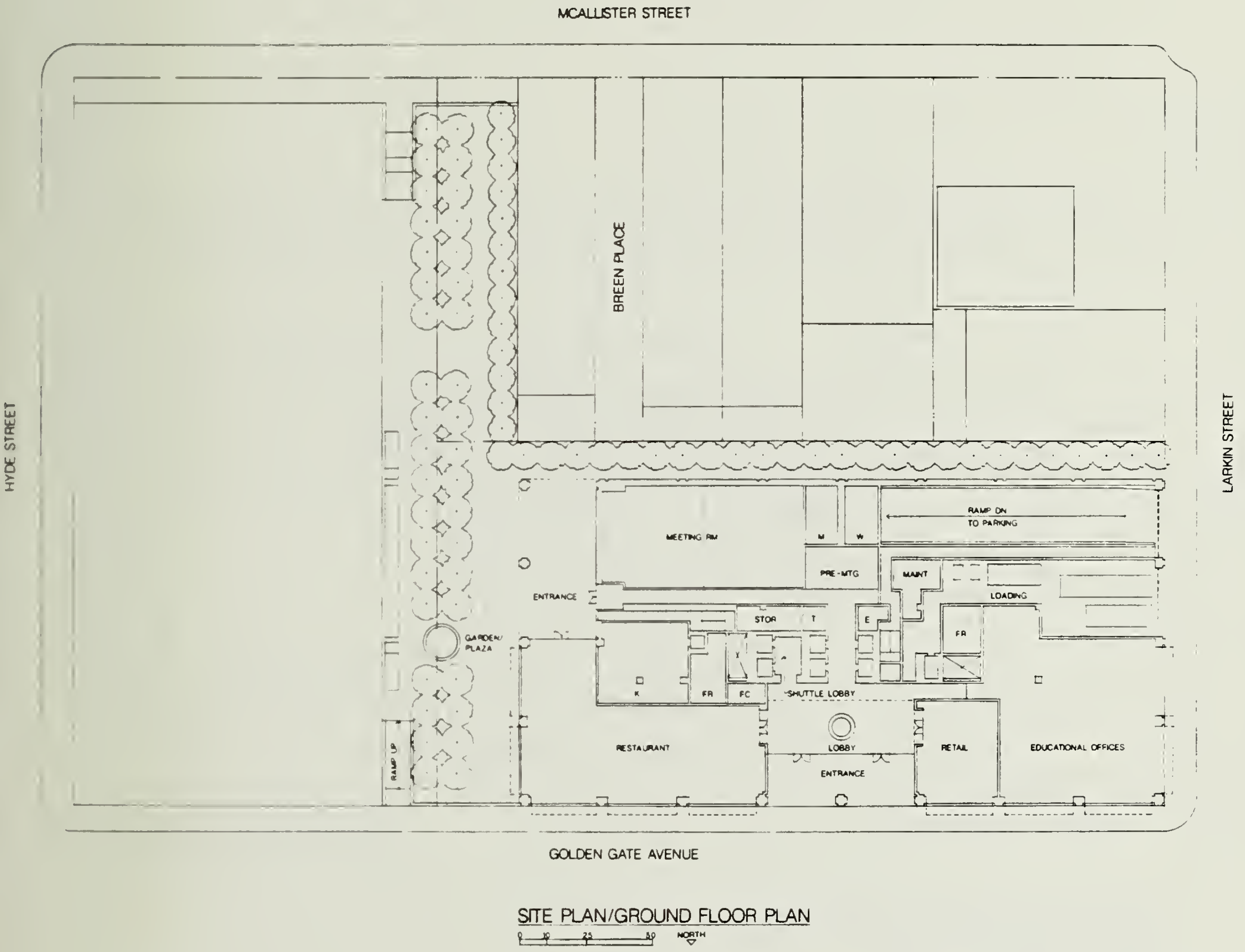


Figure 5. Site Plan/Ground Floor Plan.

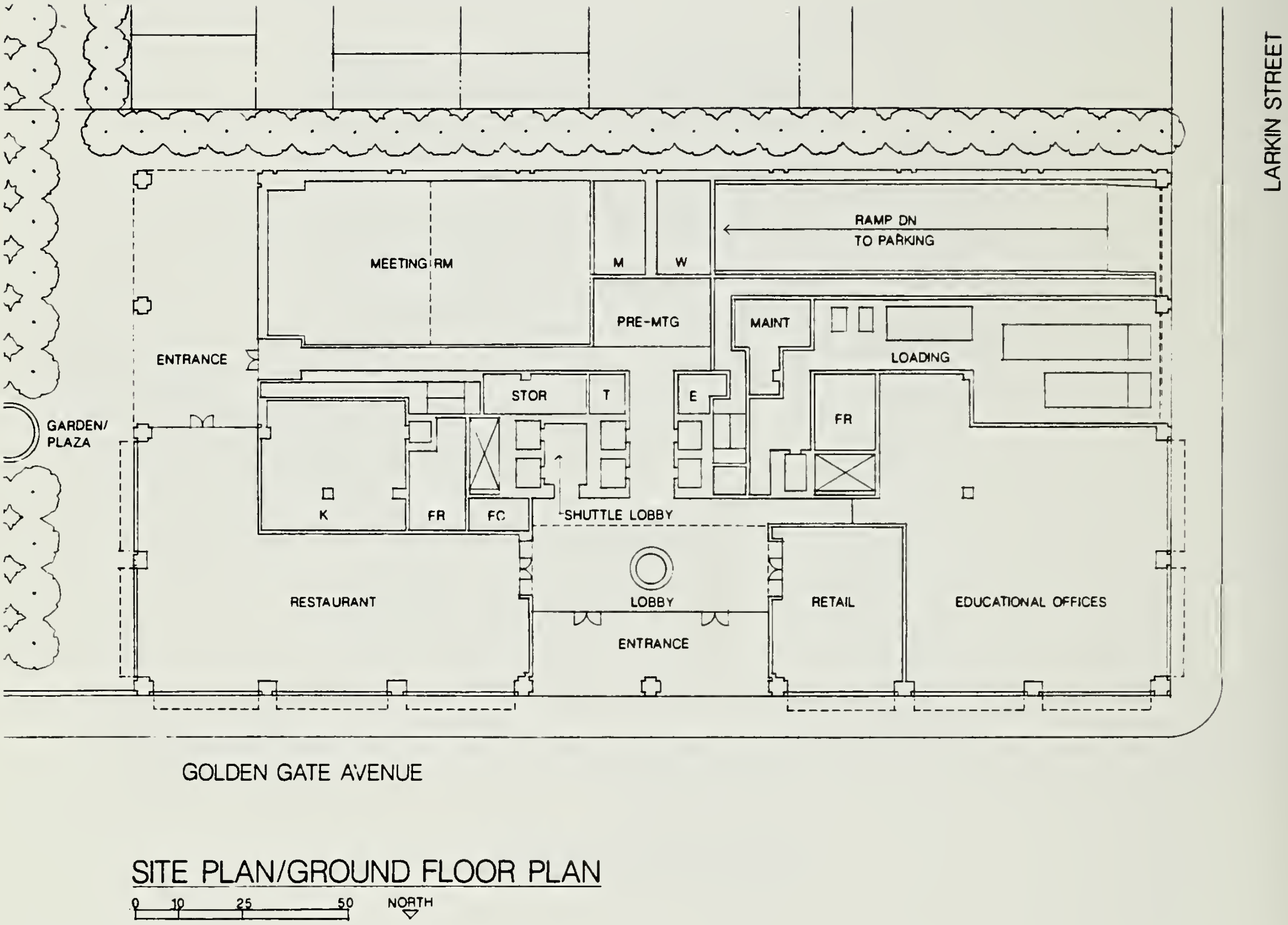


Figure 6. Site Plan/Ground Floor Plan.

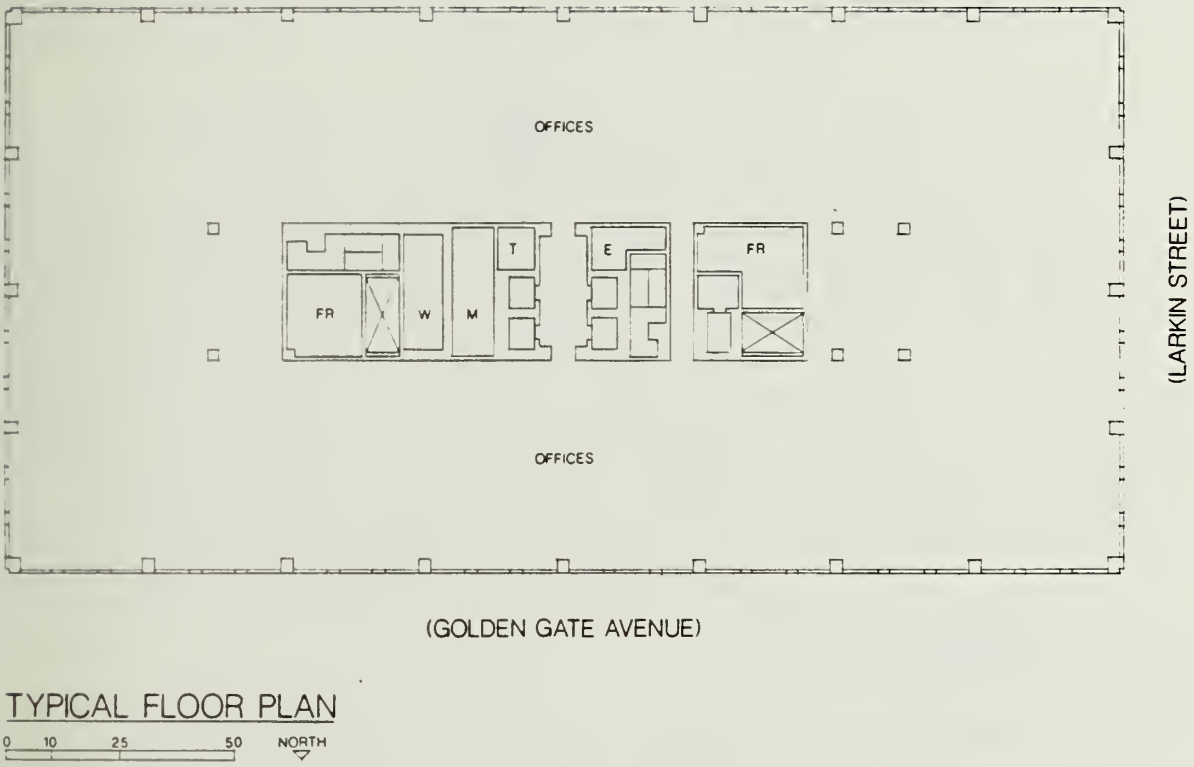


Figure 7. Typical Floor Plan.

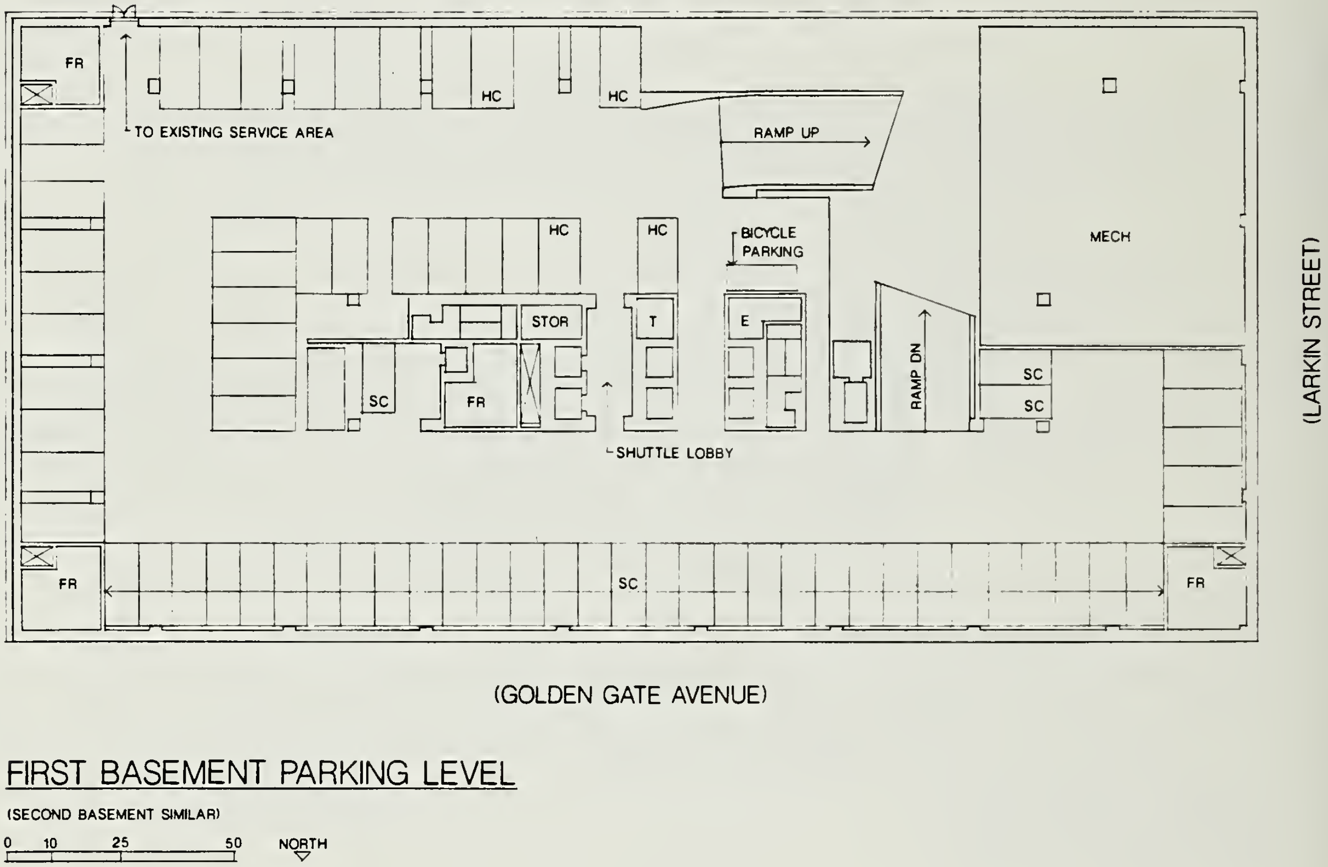


Figure 8. First Basement Parking Level.

## III. ENVIRONMENTAL SETTING, IMPACTS & MITIGATION MEASURES

### A. LAND USE AND ZONING

#### Setting

The proposed project site is located north of Market Street on the south side of Golden Gate Avenue between Larkin and Hyde Streets. The property is owned by the University of California, Hastings College of the Law. The site includes 6 lots, numbers 10, 11, 12, 13, 14 and 15 on Assessor's Block 347. The total site encompasses 37,812.5 square feet with a 275 foot frontage on Golden Gate Avenue and a 137.5 foot frontage on Larkin Street.

The project site contains four existing structures, all of which have been rebuilt since the 1906 earthquake and fire. /1/ The oldest structure on the site, the Jacobs Building (formerly the Eureka Hotel) is situated on Lot 12 with a street address of 361-365 Golden Gate Avenue. The structure was built in 1906 and originally served as a brick rooming house. Sometime after 1912 the ground floor was given to commercial space. A restaurant and delicatessen currently occupy the ground floor. The upper floors are vacant. A small, single-story structure, built in 1948, is presently situated on Lot 13. A second transient rooming house, the former Philadelphia Hotel, was built on Lot 14 in 1907. Its street address is 343-349 Golden Gate Avenue. The ground floor of this building was also given to commercial space and a clothing outlet now occupies this space. The upper floors are vacant. Lot 15 contains a two-story office structure currently used for educational purposes. Its street address is 333 Golden Gate Avenue.

The remaining two lots on the project site, Lots 10 and 11, are currently used as a surface and basement level parking lot. The post-earthquake building formerly occupying these lots was demolished sometime after 1958. The basement level of Lot 10 originally served as the basement of the Chevrolet automobile sales building which was constructed in 1920. In summary, the present land uses on the site are presented in Table 3.

Current land uses on the project site based on square footage numbers include the following: Knight's Restaurant -- 7,300 square feet; Merchandisers II -- 9,300 square feet; Educational users -- 10,400 square feet.

## TABLE 3.
## EXISTING LAND USES ON SITE

| Lot No. | Street Address | No. of Stories | Existing Uses |
|---|---|---|---|
| 10, 11 | | 2(1 below grade) | 176 parking spaces |
| 12 | 361-365 Golden Gate Ave. | 3 | commercial & vacant |
| 13 | 355 Golden Gate Ave. | 1 | office |
| 14 | 343-349 Golden Gate Ave. | 3 | retail and vacant |
| 15 | 333 Golden Gate Ave. | 2 | educational building |

See this EIR, Sections on Community Controversy and Archaeological and Historical Resources for a further discussion of past land uses of the project site.

The project site is situated within a transition area between the core Civic Center area, the North of Market area and the Tenderloin District. Current land use within the Civic Center area is predominantly governmental and includes City, State and Federal office buildings. A State office building is located directly across Larkin Street and a Federal office building is situated diagonally across Golden Gate Avenue from the project site. The College Law Library is located adjacent to the eastern lot line of the site.

The predominant land uses in the North of Market and the Tenderloin District include retail, commercial and residential. As a result of the project site's location, it is surrounded by a variety of land uses.

Residential structures are located directly south of the project site on McAllister and Larkin Streets. Structures with commercial space on the ground floor and residential use of the upper floors are located directly north of the project site on Golden Gate Avenue.

The project site is zoned C-3-G, Downtown General Commercial. The C-3-G district is composed of a variety of land uses including office, institutional, retail and residential. The intensity of development is lower in this district than in the downtown core area. The site's height and bulk classification is 80-X, with a locally allowed building height of 80 feet and no bulk limitations. An additional 16 feet above the height limit is allowed for mechanical equipment. The basic floor area ratio limit is 6:1, allowing a floor area of 226,875 gross square feet (excluding floor areas for certain uses) on the 37,812.5 square foot site. /2/

The area surrounding the site supports a variety of zoning classifications. The core Civic Center area is zoned P, Public Use District. Land directly opposite Lots 10 and 11 on Golden Gate Avenue as well as the residential property bordering the site's southern perimeter were recently rezoned from C-3-G to North of Market Residential Special Use District (NOMRSUD). /3/ Local zoning remains C-3-G on land directly across Golden Gate Avenue from Lots 12 through 15 of the project site. One-and-one-half blocks west of the site the zoning is C-2, Community-Business.

According to the Downtown Plan EIR, cumulative office development within the C-3 District is expected to be about 70.5 million gross square feet by the year 1990, and about 78.9 million gross square feet by the year 2000. /4/ Alternatives analyzed for the Downtown Plan EIR project a range of 77.5 million to 86.5 million square feet of total office space in the C-3 District by 2000. /5/ Forecasts in the Downtown Plan EIR indicate a net increase of downtown office space of about 1.4 million square feet per year between 1984 and 1990 and a range of 0.7 to 1.6 million square feet per year between 1990 and 2000.

### Impacts

The proposed project would contain a mixture of governmental, educational, restaurant, retail and parking space totaling about 233,840 gross square feet (gsf), with approximately 160,530 gsf of governmental and educational space including a conference/meeting room, approximately 5,000 gsf of restaurant space, and about 1,280 gsf of retail space. Two basement levels of the structure would contain approximately 67,030 gsf of parking, which would provide about 160 parking spaces. Seven percent of the gross floor area of the structure, or 15,900 square feet of parking is permitted to be excluded from FAR calculations. See this EIR, Section II.C., Project Characteristics, for this information in tabular form. See this EIR, Section V, Relationship Between Existing Plans and Policies and the Proposed Project, for a discussion of the proposed project's relationship to State and local governmental plans.

The proposed project would require demolition of four currently existing on-site structures as well as the two-level parking facility located on the southeast corner of the intersection of Golden Gate Avenue and Larkin Street. All of the on-site businesses and the educational users are aware that the College has plans to construct the proposed project.

The proposed project will increase the density of development on the site. Accompanying this increase in density will be a corresponding increase in intensity of land use.

The building will be set back about 12.5 feet from the southern property line in order to provide an open space buffer between the project and the residential units located to the rear of the project site. A public, open space plaza with controlled hours will extend along the site's eastern perimeter. This plaza will connect with the sculpture garden adjacent to the College Library and will extend the full distance from Golden Gate Avenue to McAllister Street. The plaza area on the project site would comprise about 4,100 square feet. However, the entire plaza area including the garden already existing adjacent to the College Library and the plaza extension to McAllister Street would be about 13,000 square feet. Landscaping and seating arrangements will be included within the plaza.

The land use of the proposed project will be compatible with the site's C-3-G zoning classification. Other than the increase in intensity of land use of the site, the project will have little effect on adjacent land uses with the exception of an increased demand for commercial services, such as retail and restaurant facilities.

### Mitigation Measures

An open-space plaza area will be built in conjunction with the proposed project. An additional open space area will serve as a buffer separating the residential use on the site's southern perimeter from the increase in land use caused by the project.

## Notes

/1/ Roper, Praetzellis & Fredrickson, Results of Archival Research for the Proposed California State Building, March 21, 1985, pp. 6-7.

/2/ City and County of San Francisco, Downtown Plan, section 124, October 17, 1985.

/3/ City and County of San Francisco, ordinance No. 165-85, North of Market Residential Special Use District, March 28, 1985.

/4/ City and County of San Francisco, Department of City Planning, Downtown Plan EIR, EE81.3, certified October 18, 1984, pp. IV. B. 28 and IV.B.31.

/5/ Downtown Plan EIR, Appendices, pp. G-37-G-41.

## B. URBAN DESIGN & VISUAL QUALITY

### Setting

The 37,812.5 square foot project site consists of four structures and a parking lot. The on-site structures range from one to three stories in height and are typical of the older, commercial brick development constructed following the 1906 San Francisco earthquake. There is little architectural continuity among the buildings.

The project site is situated within a transition area between the core Civic Center area, the North of Market area and the Tenderloin District. The area contains buildings of various uses, heights and architectural styles. The Civic Center is characterized by monumental structures representative of both neo-classical architectural and modern styles, which serve both governmental and cultural activities. The Civic Center is listed on the National Register of Historic Places and is a recognized architectural resource.

A six-story State Office Building, consisting of a front structure located within the Civic Center area and a rear building located outside of the core Civic Center area, is situated across Larkin Street, directly west of the project site. This State Office Building has a facade of neo-classical granite on the front building within the Civic Center while the rear portion of the structure is covered with a tile fascia. A new State Office Building is currently being constructed on Van Ness Avenue between McAllister and Golden Gate, two blocks west of the project site.

A twenty-story Federal Building is situated diagonally across Golden Gate Avenue from the project site. This building is a curtain wall structure with Sierra white granite aggregate panel columns.

Residential structures are located directly south of the site on McAllister and Larkin Streets. Structures with commercial space on the ground level and residential use on the upper floors are located directly north of the project site on Golden Gate Avenue. The North of Market area typically contains buildings ranging in height from four to twenty stories, primarily constructed before 1945.

These structures are characterized by mixed architectural styles while the predominant land uses are retail commercial on the ground level with office or residential use on the upper floors.

The six story Hastings Law Library is situated adjacent to the project site's eastern perimeter.

The project site is generally visible from buildings and sidewalks about one and one-half blocks along Larkin Street to the north and south and along Golden Gate Avenue to the east and west.

### Impact

The proposed project will replace the four currently existing on-site structures ranging in height from one to three stories with a six-story structure similar in scale to the Hastings Law Library to the east and the rear portion of the State Building to the west of the site. At a height of 80-feet, the project will blend with nearby structures with the exception of the Federal Building.

The project design would be a three-part composition: a base (ground floor, service level and second floor); a middle shaft (office floors three through five); and a top (office floor six with a terrace/planter setback for a portion of the two long sides).

The base (i.e. the ground floor and second floor) would be similar in scale to the base of the Hastings Law Library to the east. The main pedestrian entrance on Golden Gate Avenue will be two floors in height. Widening the entrance setback on the Golden Gate Avenue elevation on both sides to the next succeeding column may provide a better scale for the entry in relation to the building without adversely affecting any environmental consideration. A second pedestrian entrance would be provided from the adjacent plaza area. Canopies or awnings would be located above the ground floor clear glass windows which will add to the pedestrian scale. The architectural precast would be articulated at the base with bevels and reveals.

The proposed structure's facade material will be an architectural precast similar in color and finish to the College Law Library. The windows will be tinted, non-reflective glass on floors two through six, and clear glass will be used at the ground level. The middle shaft of the project will also be articulated with bevels and reveals, giving the facade both depth and verticality. The planter/terraces located on the sixth floor would be detailed to rest between the building columns and would provide landscaping at the edge of the terraces. Window frames will be red in color and will create a unity of design between the proposed project and the College Law Library.

The building will be set back about 12.5 feet from the southern lot line in order to provide an open space buffer separating the project from the residential units located on the site's southern perimeter. The buffer area will be landscaped with trees and shrubbery.

An open space plaza with controlled hours will extend along the site's eastern perimeter. The plaza will connect with the sculpture garden adjacent to the College Law Library and will extend the entire distance from Golden Gate Avenue to McAllister Street. The plaza area on the project site would comprise about 4,100 square feet. However, the entire plaza area including the garden currently existing adjacent to the College Law Library and the plaza extension to McAllister Street would comprise about 13,000 square feet. Landscaping and seating arrangements will be included within this plaza.

Because of the similar height of nearby structures when compared with the height of the proposed building, the project will be visible in the short and mid-range views. In the short range, views of the project would blend with the nearby State Building and College Law Library; however, the view would contrast in scale with the structures on Golden Gate Avenue directly opposite the project site and the residential structures located on the site's southern perimeter. The proposed project would not block vistas along either Golden Gate Avenue or Larkin Street. In the mid-range views, the proposed project will be visible from the Civic Center Plaza located to the south of the project site. The project will also be visible from upper floors of the San Francisco City Hall; however, due to the similar height of adjacent buildings only the top floors of the proposed project will be visible.

The project would interrupt views to the south from windows on the upper floors of the building opposite to the project site at the northeast corner of Golden Gate and Larkin. These views presently occur due to the presence of the surface parking lot on the western portion of the project site. The project would also change views from rear windows of the residential units located to the south of the site.

The project will be a new source of night lighting. Although this lighting would not have an effect on nearby similar land uses, the lighting has the potential to affect nearby residential land uses.

### Mitigation Measures

To lessen glare on nearby residential land use, the project will use lighting designed to avoid glare and will not use reflective glass. The plaza will have non-glare lighting with minimal foot candles.

To create a sense of transition from the core Civic Center area to the North of Market area, the design of the project will incorporate materials complementary to that used in surrounding similar structures. The exterior cladding will be neutral in hue. The plaza will be attractively landscaped, seating arrangements will be provided and an appropriate paving material will be used for pedestrian areas.

## C. WIND AND SHADOW

### WIND

### Setting

Pedestrian comfort levels on sidewalks and in other public areas within San Francisco are partially determined by wind conditions.

The U.S. Weather Bureau and the Bay Area Air Quality Management District data show that westerly (winds blowing from the west), southwesterly and northwesterly winds are the most frequent and strongest during all seasons within the City. /1/ /2/ On the whole, west winds blow about 51% of the time. The westerly winds are also the strongest, averaging about 7 miles per hour, 8 miles per hour about 19% of the time and exceeding 12 miles per hour 6% of the time.

Winds from the southwest are typically the second most frequent (about 14% of the time) and the second strongest. The southwesterly winds average 7 miles per hour, exceed 8 miles per hour about 5% of the time and exceed 12 miles per hour about 2% of the year. Although northwest winds generally occur only 6 to 8% of the time, they have the second highest average speed during some years. Northwest winds average 5 miles per hour and exceed 8 miles per hour less than ½% of the time.

The average wind speeds are highest during summer months and lowest during the winter months. The strongest peak winds occur during the winter. The highest average wind speeds occur during mid-afternoon and the lowest average wind speeds are in the early morning.

Wind measurements were conducted at and near the project site using a scale model of the project site and the vicinity. The wind tunnel tests were performed by Donald Ballanti, a certified consulting meteorologist. Two locations exceed the 11 miles per hour pedestrian comfort criterion. These locations include the southeast and northeast corners of the intersection at Larkin Street and Golden Gate Avenue.

## Impacts

Wind tunnel tests were performed for 15 locations in, and adjacent to, the project site. These tests were conducted using the methodology, analysis techniques and criteria specified by the San Francisco Downtown Plan and the San Francisco Department of City Planning. The wind tunnel tests were conducted for winds from the northwest, west-northwest, west and west-southwest wind directions. Data from the wind tunnel, together with the frequency distribution of winds from all directions, is used by a computer program to estimate the wind speed that would be exceeded 10% of the time annually between the hours of 7:00 a.m. and 6:00 p.m.

Pedestrian comfort varies under different conditions of sun exposure, temperature, type of clothing and various wind speeds. Winds up to 4 miles per hour have no noticeable affect on pedestrian comfort. Winds ranging from 4 to 8 miles per hour are felt on the face. Winds from 8 to 13 miles per hour will disturb hair, flap clothing and extend a flag mounted on a pole. Winds ranging from 13 to 19 miles per hour raise dust and disarrange hair. Winds from 19 to 26 miles per hour will be felt on the body. The limit of agreeable wind is defined as 26 miles per hour. In winds ranging from 26 to 34 miles per hour umbrellas are used with difficulty, walking steadily is difficult and wind noise is unpleasant. Winds over 34 miles per hour increase difficulty with balance and gusts can blow people over. /3/

The wind ordinance associated with the Downtown Plan (Section 148) is defined in terms of "equivalent wind speed." /4/ This term denotes wind speed averaged over one hour (mean velocity), adjusted to include the level of gustiness and turbulence. The Downtown Plan sets comfort levels of 11 miles per hour equivalent wind speed for areas of substantial pedestrian use and 7 miles per hour for public seating areas. New buildings and additions to buildings may not cause ground level winds that would exceed these comfort levels more than 10% of the year between the hours of 7:00 a.m. and 6:00 p.m.

Wind tunnel measurements were made at 15 locations within and near the project site for each of the prevailing wind directions using a scale model of the site and adjacent vicinity both with and without the proposed project. Wind test data were combined with wind records to predict the wind speeds that would be exceeded 10% of the time at each test location.

Currently two locations in the vicinity of the project site are above the 11 miles per hour pedestrian comfort criteria. These locations include the southeast and northeast corners of the intersection of Larkin Street and Golden Gate Avenue. Upon project completion only one of these locations, the northeast corner of Larkin and Golden Gate, would remain above the 11.0 pedestrian criteria. This location would remain at the existing wind speed level of 11.2 miles per hour. The hazard criterion (winds of 26 miles per hour no more than one hour per year) is not currently exceeded and would not be exceeded with the proposed project. One location within the plaza area to be constructed adjacent to the project would slightly exceed the 7 miles per hour sitting area comfort criterion.

In summary, the project would result in a mixed pattern of wind increases and decreases in the project site vicinity. From the standpoint of pedestrians in the area, the project would have little affect on comfort levels. The pedestrian level wind environment with the proposed project would remain similar to existing conditions.

### Mitigation Measures

The wind tunnel tests were conducted on a scale model that did not include trees, shrubbery or other landscaping. The plaza area would be designed to provide wind shelter through careful placement of trees, shrubbery and eating areas. With this provision, wind-sheltering elements would reduce winds to below the 7.0 miles per hour comfort criterion for seating areas.

### Notes

/1/ Both this paragraph and the two paragraphs immediately following are based on information in the City and County of San Francisco, Draft EIR 100 First Street Building, 83,331 E, pp. 46-47.

/2/ The U.S. Weather Bureau data were collected from 1891 to 1930 at 465 California Street. The Bay Area Air Quality Management District data were collected in the mid-1970s at 939 Ellis Street, near Van Ness Avenue.

/3/ This paragraph is based on information contained in the City and County of San Francisco, Draft EIR 100 First Street Building, 83.331 E, p. 91.

/4/ City and County of San Francisco, Downtown Plan, effective October 17, 1985, Section 148

## SHADOW

### Setting

Existing structures on the project site cast shadows on streets and sidewalks in the project vicinity. Portions of Golden Gate Avenue and Larkin Street within one block of the project site are shaded in different locations throughout various times of the day and year. Project shadow patterns are discussed in detail in the Impact section below. Section 146 of the Downtown Plan states that new buildings shall be shaped, if it can be done without creating an unattractive design and without unduly restricting the development potential of the site, so as to reduce substantial shadow impacts on public sidewalks within the C-3 District. Section 147 of the Downtown Plan states that any new development should be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site, to reduce substantial shadow impacts on public plazas and publicly accessible spaces. Factors to be taken into account in the determination of shadow impacts include: the amount of open area shadowed; the duration of the shadow; and the importance of sunlight to the utility of the type of open space being shadowed.

### Impacts

In order to determine shadow effects, a complete shadow analysis for the proposed project was prepared by the Environmental Impact Planning Corporation for the hours of 10:00 a.m., 12:00 noon and 3:00 p.m. during the months of March, June, September and December. This analysis considers shadows cast by currently existing structures in the site's vicinity as well as shadows cast by the proposed project. Open space near the site's vicinity includes the Civic Center Plaza, the United Nations Plaza and the Federal Building Plaza.

### Spring Months

At 10:00 a.m. the proposed project will cast newly created shadow on sidewalk areas directly adjacent to the northwestern corner of the project on Golden Gate Avenue and Larkin Street. Shade will also be cast on portions of the sidewalk area across Golden Gate Avenue from the project site. By 12:00 noon all shade cast by the project on Larkin Street would have been eliminated. Shade will remain on sidewalk areas directly fronting the project on Golden Gate Avenue. By 3:00 p.m. all shade on the northern portion of Golden Gate Avenue in front of the project site would be eliminated; however, shade will be cast on the sidewalk area directly fronting the project.

### Summer Months

At 10:00 a.m. shade will be cast on sidewalk areas on Larkin Street to the west of the project site. The sidewalk directly bordering the project on Golden Gate Avenue will also be cast in shade; however, approximately one-half of this shade currently exists due to the on-site structures. At 12:00 noon newly created shade will be cast on the sidewalk area directly adjacent to the northwestern corner of the proposed project. At 3:00 p.m. the project will not shade sidewalks located on Larkin Street; however, the sidewalk area directly fronting the project site on Golden Gate Avenue will be cast in shade.

### Fall Months

At 10:00 a.m. the project will cast newly created shadow on sidewalk areas directly adjacent to the northwestern corner of the project on Golden Gate Avenue and Larkin Street. Shade will also be cast on about 20% of the sidewalk area across Larkin Street from the project site and on sidewalk areas across Golden Gate Avenue from the project site. At 12:00 noon all shade cast by the project on the western portion of Larkin Street would be eliminated. At 3:00 p.m. all shade cast by the project on Golden Gate Avenue opposite the project site would be eliminated.

### Winter Months

At 10:00 a.m. shade will be cast on the sidewalk areas bordering the project site on Golden Gate Avenue and Larkin Street; however, about 50% of the shade on the Golden Gate Avenue sidewalks currently exists due to the on-site structures. Shade will also be cast on the Larkin Street sidewalk bordering the Federal Building and on the Golden Gate Avenue sidewalk across the street from the project site. About 2% of the Federal Building's plaza will also be in shade caused by the project at 10:00 a.m. during the winter months. By 12:00 noon all shade cast by the proposed project on Larkin Street and the Federal Building plaza and sidewalk areas will have been eliminated. Shade will be cast, however, on the western one-half portion of sidewalk areas fronting the project site on Golden Gate Avenue. Shade will also be cast on portions of the structures located across Golden Gate Avenue from the project site. At 3:00 p.m. the area surrounding the project site is dominated by existing shade and only a miniscule portion of this shade would be created because of the proposed project.

## Open Space

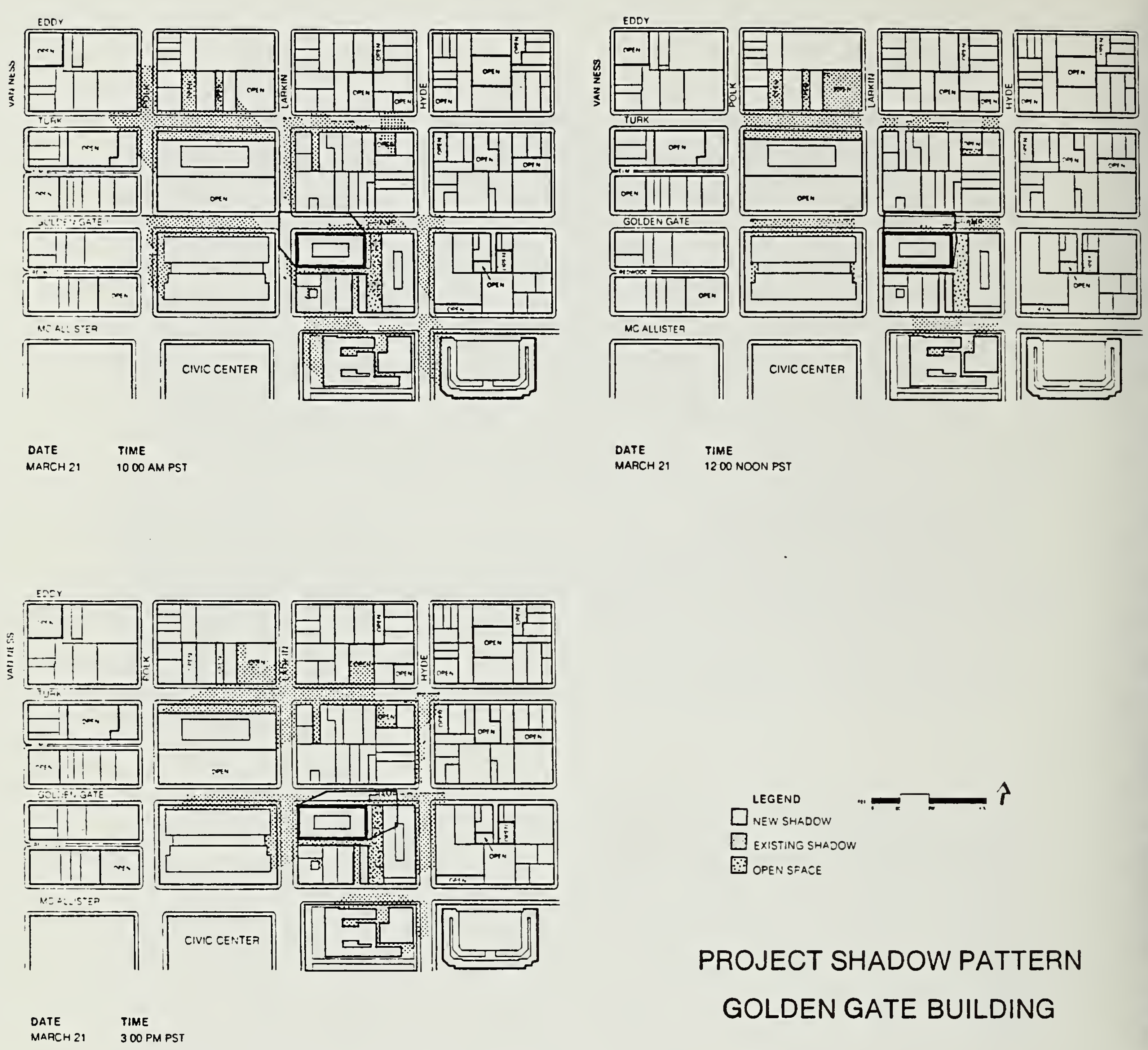
The project would not shadow any properties under the jurisdiction of the Recreation and Park Commission (those covered by Proposition K). The project would not cast shade on the Civic Center Plaza or the United Nations Plaza areas.

At no time would the project cast shade on any of the residential structures located on the project site's southern perimeter.

The open space plaza which is planned in conjunction with the project will border the project's eastern perimeter and will extend the full distance from Golden Gate Avenue to McAllister Street. At no time of the year would the project cast newly created shade on this area.

## Mitigation Measures

Because no significant impacts would be caused by the proposed project, no mitigation measures are required.



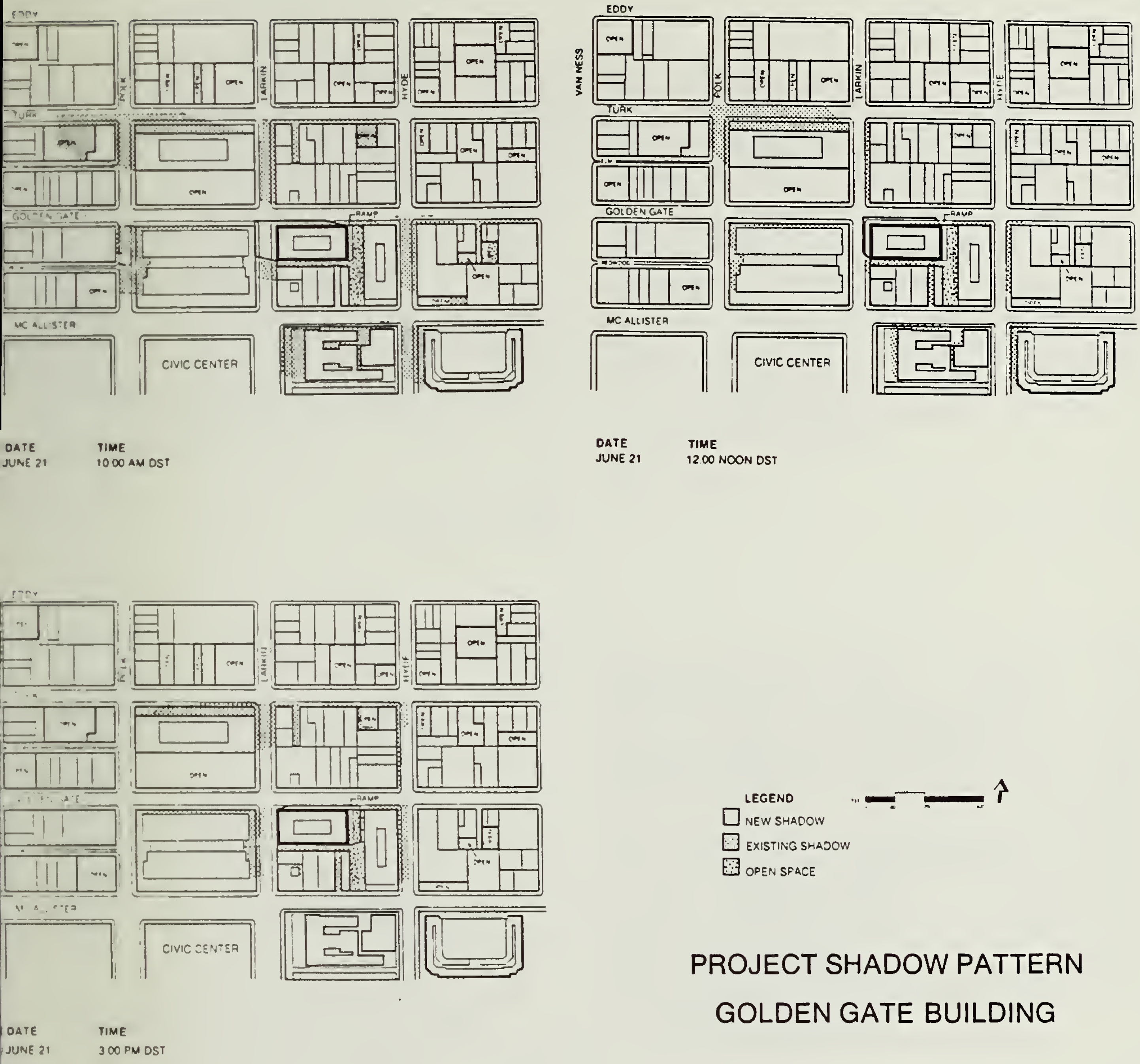
DATE MARCH 21 TIME 10 00 AM PST

DATE MARCH 21 TIME 12 00 NOON PST

DATE MARCH 21 TIME 3 00 PM PST

PROJECT SHADOW PATTERN
GOLDEN GATE BUILDING

Figure 9. Project Shadow Pattern, March.



DATE JUNE 21 TIME 10 00 AM DST

DATE JUNE 21 TIME 12.00 NOON DST

DATE JUNE 21 TIME 3 00 PM DST

PROJECT SHADOW PATTERN
GOLDEN GATE BUILDING

Figure 10. Project Shadow Pattern, June.

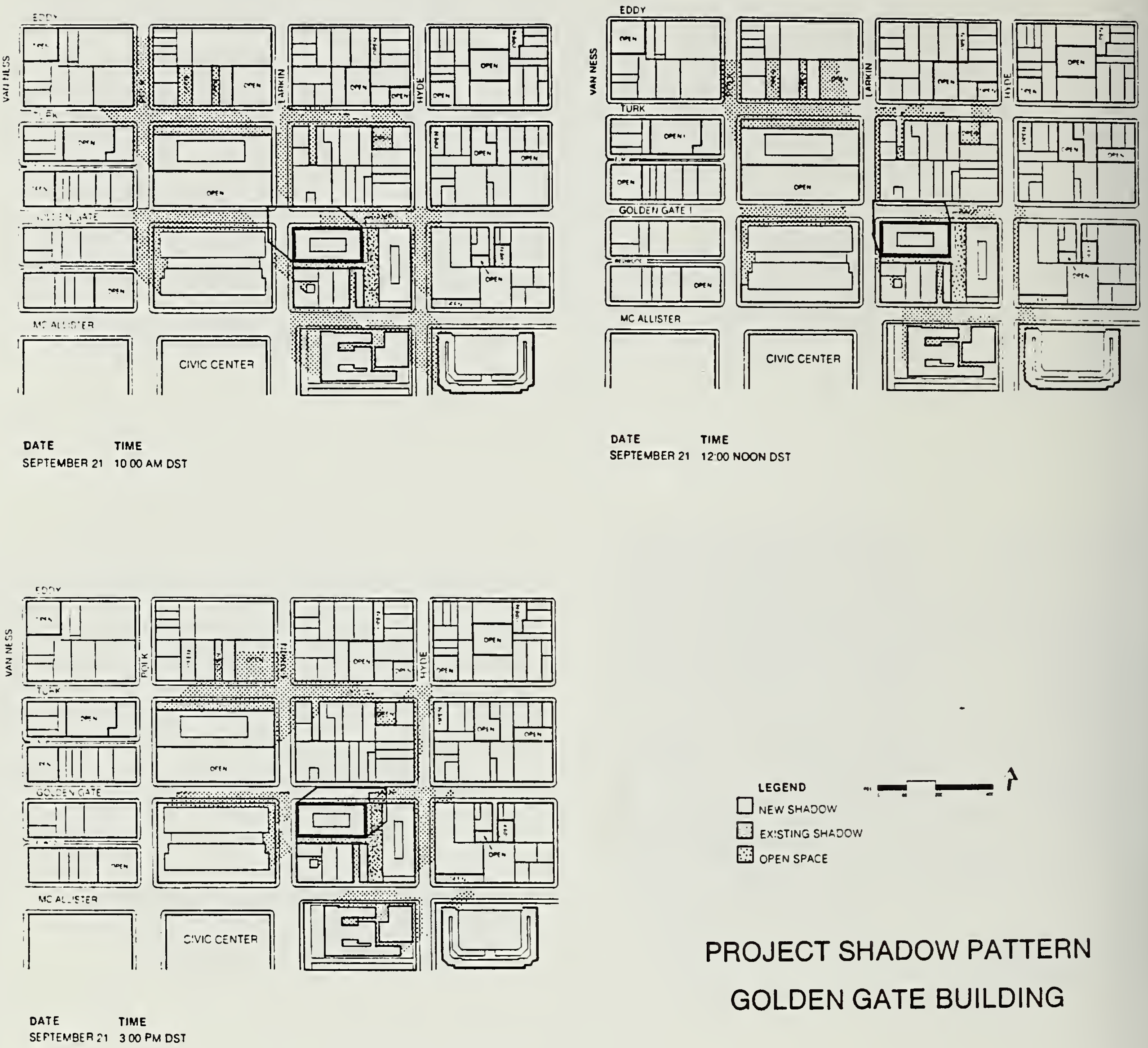


Figure 11. Project Shadow Pattern, September.

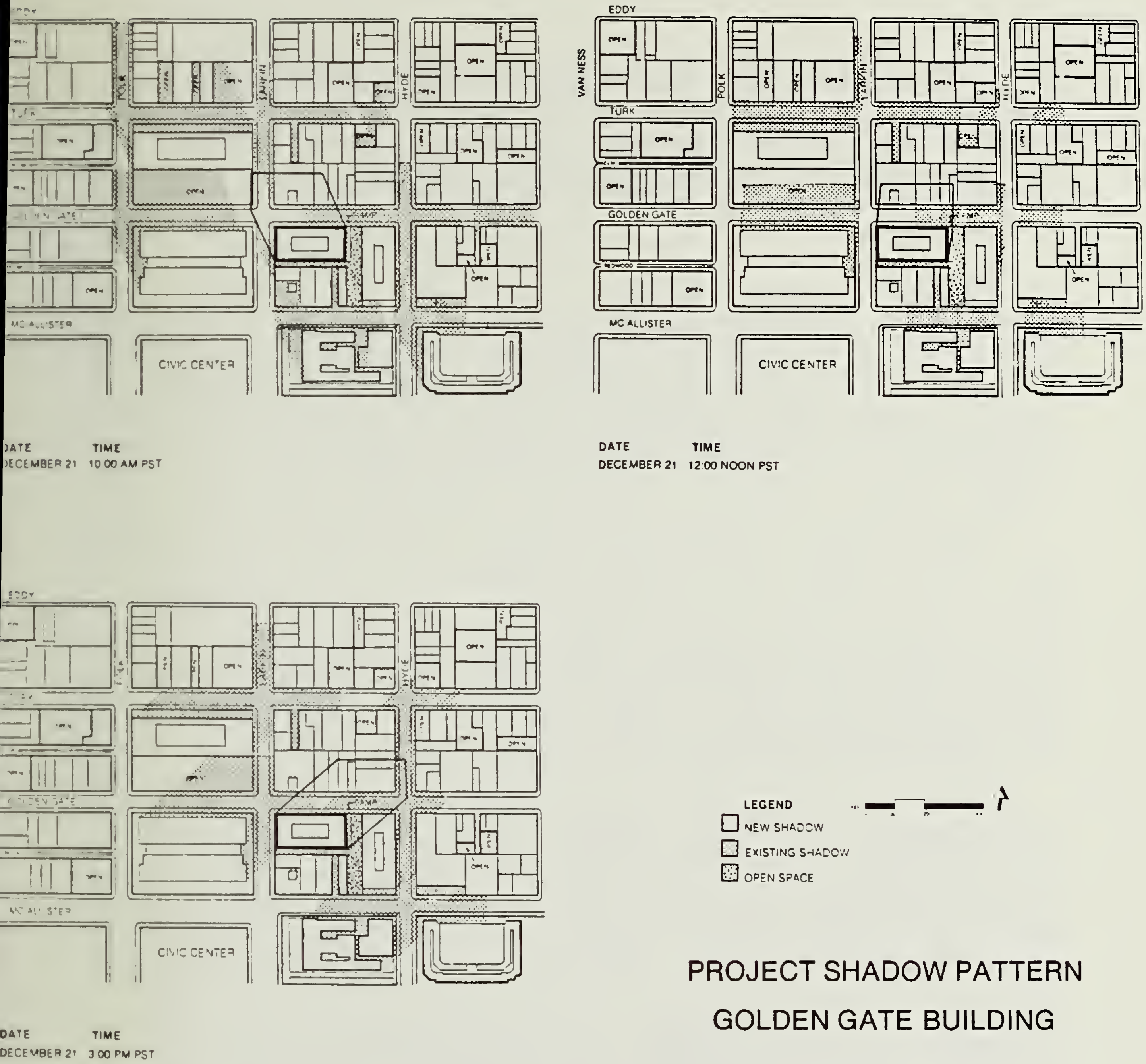


Figure 12. Project Shadow Pattern, December.

## D. ARCHAEOLOGICAL AND HISTORICAL RESOURCES

### ARCHAEOLOGY /1/

### Setting

Evidence of prehistoric activity as early as 3200 B.C. exists in the vicinity of the site. During the excavation of the Bay Area Rapid Transit Civic Center Station, located 1,000 feet south of the project site, isolated remains of an aboriginal were found 75 feet below grade. Radiocarbon dating placed the remains at 2950 B.C. + 250 years. /2/

The earliest recorded history in the vicinity of this site dates from the Mexican period. The site is within one and one-half miles of Mission Dolores, the focal point of the Spanish-Mexican occupation of California. It is possible that a structure depicted in an 1853 map of the City as being situated in the immediate vicinity of the project area may date to this period. The archaeological analysis prepared for the site states there is a possibility that deposits dating to the late Mexican occupation of the San Francisco area may be present.

With the discovery of gold in California and the accompanying migration, rapid expansion of the city of San Francisco occurred. By 1849 a cemetary had been established one block southeast at the site of the present day Main Library. By 1868 single and multiple residential buildings had been constructed on the site and businesses had been established on the site's western end by 1886. All structures located on the site along with those in the surrounding area were destroyed by fire the evening following the 1906 earthquake. In the rebuilding that ensued, the area was developed with commercial structures interspersed with apartment buildings and residential hotels. See this EIR, Land Use section, for a description of the recent land uses of the project site.

The site condition at the time of the earliest human settlement consisted of shifting dune sands supported by dense clay-like sand or stiff sandy clay with bedrock at about 150-200 feet below ground surface. Since that time, with the process of urbanization and the accompanying grading of streets, some filling and cutting has occurred. Local

19th century documents indicate that development grades were established at between 70 to 72 feet at Van Ness and Golden Gate Avenue, two blocks west of the project site. This grade has remained unchanged, and given the general terrain of the surrounding area, it is doubtful there have been any significant efforts to maintain street elevation at the site by cutting or grading.

Artifacts of consequence typically found at similar San Francisco sites include deposits associated with the residential and commercial uses occupying the site prior to the 1906 earthquake and fire. Skeletal remains have been found in the area, most notably the fragmentary human bones discovered during the excavation of the BART Civic Center Station approximately 1000 feet south of the project area, and Gold Rush period remains (believed to be from the Yerba Buena Cemetary) found during repair work on the Main Library foundation, one block south of the project site.

### Impacts

An archaeological resources report titled "Results of Archival Research for the Proposed Golden Gate Building" was prepared for the project site by Roper, Praetzellis & Fredrickson and is on file with the University of California, Hastings College of the Law, 200 McAllister Street, San Francisco. While no on-site investigation has been conducted, archival evidence suggests the possibility that archaeological deposits or cultural resources dating to the early American occupation and preceding Spanish-American and prehistoric periods may be present within the project area. It is estimated that new excavation to a level of approximately 14 feet below that of existing basements would be required. In any event, soils not previously exposed would be disturbed.

The archaeological report recommends that additional archival research be performed to provide information necessary to accurately position test trenches and to develop methods to investigate the undisturbed portion of the project area.

### Mitigation Measures

As part of the proposed project, an archaeologist will conduct additional archival research and will meet with the soils engineers prior to taking soil samples in order to communicate to the engineers information which may be of use in assessing the integrity of potential archaeological deposits. Based upon the results of the soil sample, the archaeologist will instruct all excavation and foundation crews on the proposed site of the potential for discovery of cultural or historic artifacts and of the requirement that work be halted immediately and the archaeologist be called to the site if such artifacts are uncovered. The archaeologist would assess the significance of the find and immediately report to the California Department of General Services (DGS). The DGS, in consultation with the State Office of Historic Preservation and representatives of the Native American Community (if appropriate), would recommend specific mitigation measures. Excavation or construction that might damage discovered cultural resources would cease for a maximum of four weeks to permit inspection, recommendation and retrieval, if appropriate.

## HISTORICAL RESOURCES

### Setting

The project site contains four one to three story structures built between 1906 and 1948, as listed below.

| Building | Construction Date | Heritage Rating |
|---|---|---|
| Lot 15 (333 Golden Gate) | 1912 | D |
| Lot 14 (343-349 Golden Gate) | 1907 | D |
| Lot 13 (355 Golden Gate) | 1948 | D |
| Lot 12 (361-365 Golden Gate) | 1906 | C |

All structures on the project site with the exception of the Lot 12 building (which is rated 'C') are rated 'D' by the Foundation for San Francisco's Architectural Heritage. /3/ This foundation conducted surveys which assigned ratings to buildings in the C-3 district. The survey rated structures from a high of 'A' (highest importance) to 'D' (minor or no importance). Buildings rated 'C' are recognized to be of contextual importance and are distinguished by their scale, materials, compositional treatment, cornice, or other features. /4/ They establish the setting for more important structures and add visual richness and character to the area. The criteria used in the evaluation were based on guidelines of the National Trust for Historic Preservation, the National Register of Historic Places and the State Historic Resources Inventory.

None of the buildings located at the project site are included in the 1976 San Francisco Department of City Planning Architectural Survey which awarded ratings based on architectural merit. The project site is not within any of the six conservation districts listed in the Downtown Plan./5/ Furthermore, in 1984 the State Office of Historic Preservation declined to nominate these buildings to the Department of Interior for inclusion on the National Register of Historic Preservation. /6/

Within the vicinity of the proposed project there are several buildings rated 'A' and 'B' by the Foundation for San Francisco's Architectural Heritage and also rated by the City's Department of City Planning. The Civic Center complex, which includes the City Hall and other governmental buildings is on the National Register of Historic Places and is a recognized architectural resource. In addition to the Civic Center complex, six buildings are on the City's List of Architecturally and/or Historically Significant Buildings in the Downtown. These include Rulf's Film Exchange at 125 Hyde Street, the Film Exchange at 245-249 Hyde Street, Kipling Apartments at 381 Turk Street, the YMCA Hotel at 351 Turk Street, the Hibernia Bank Building at 1 Jones Street and the St. Boniface Church at 155 Golden Gate Avenue.

### Impacts

The proposed project requires the demolition of four structures, none of which are included on the City of San Francisco's List of Architecturally and/or Historically Significant Buildings, nor rated in the 1976 San Francisco Department of City Planning citywide inventory of architecturally significant buildings. Three of the structures are rated 'D', and one is rated 'C' by the Foundation for San Francisco's Architectural Heritage. None of the buildings are listed as significantly contributory in the Downtown Plan, nor are they located within a conservation district within the Downtown Plan.

Within the context of project relationships to nearby buildings, the project site is adjacent to the core Civic Center area which is included on the National Register of Historic Places. Six buildings within the project's vicinity are listed on the City of San Francisco's List of Architecturally and/or Historically Significant Buildings.

While continued loss of 'C' rated buildings may affect the architectural context of the City, the loss of the Lot 12 structure cannot be construed as having a significant impact on historical and architectural resources.

## Mitigation Measures

No mitigation measures are required because the project will not cause a significant effect on historical resources.

## Notes

/1/ Most information in this section is taken from a report prepared by Roper, Praetzellis, and Fredrickson for the California Department of General Services, Results of archival Research for the Proposed California State Building, March 21, 1985, pp. 1-11.

/2/ State of California, Department of General Services, Office of Facilities Planning and Development, San Francisco State Building Final Environmental Impact Report, Sacramento, 1980, p. 29.

/3/ Telephone conversation with Grant Dehort, Foundation for San Francisco's Architectural Heritage, December 3, 1984.

/4/ Foundation for San Francisco's Architectural Heritage, Splendid Survivors, California Living Books, 1979, pp. 12-13.

/5/ San Francisco Department of City Planning, Downtown Plan Proposal for Adoption, October 1984, pp. 74-77.

/6/ Eric Sandweiss, Foundation for San Francisco's Architectural Heritage, telephone conversation, December 6, 1984.

## E. TRANSPORTATION, CIRCULATION AND PARKING

### Setting

### Roadway Network

The project site is on Golden Gate Avenue between Larkin and Hyde Streets. All three streets are designated by the 1983 Downtown Transportation Plan as primary vehicular streets. /1/ /2/ Golden Gate Avenue is a one way arterial street with three eastbound lanes. Larkin Street has three northbound lanes (each about ten feet wide) with parking permitted on both sides. Hyde Street is a one-way arterial street with three southbound lanes. Each lane is about eleven feet wide and parking is allowed on both sides of the street.

U.S. Highway 101 (Van Ness Avenue) is two blocks west of the site and provides access to the Golden Gate Bridge. The closest freeway access to the East Bay and Penninsula is four blocks west of the site at the Turk/Gough Street intersection on-ramp to southbound U.S. 101. U.S. 101 southbound provides access to I-80 (Eastbay) and I-280 (Penninsula); U.S. 101 off-ramps are provided at the Golden Gate/Franklin Street intersection. Alternate freeway on-ramps may include Oak/Laguna, South Van Ness/Erie, Tenth/Bryant, Eighth/Bryant, or Sixth/Brannan. Alternate freeway offramps include Fell/Laguna, Mission/Otis, Ninth/Bryant, Eighth/Harrison, and Seventh/Bryant, or Sixth/Brannan.

### Traffic

Traffic volume analysis at the intersections of Larkin/McAllister, Larkin/Golden Gate and Golden Gate/Hyde indicates that during the peak hours of 4-6 p.m. these intersections operate at Level of Service C (stable flow, acceptable delay), A (stable flow, no delay) and A, respectively.

Traffic control surrounding the project site consists of fixed traffic signals operating on 60-second cycles. The traffic signals at Golden Gate/Larkin, Golden Gate/Hyde and Larkin/McAllister are two-phase to facilitate heavy traffic movement.

## Parking

The project site is within the Parking Belt Area identified in the City's Master Plan. /3/ The area is appropriate for short term parking facilities to replace the spaces removed from the core area. These facilities are located and designed to intercept vehicles entering downtown from major thoroughfares before they reach the downtown core automobile control area.

Current on site parking consists of 4 employee parking spaces on Lot 12 and 176 spaces in the parking lot located on Lots 10 and 11. Although this parking lot is available to all users on a space available basis, it primarily services employees and students of the College. By 9:00 a.m. the parking lot is approximately 95% occupied and remains that way until 5:00 p.m. /4/

Curb parking on the blocks adjacent to the project site includes twenty 1-hour and two 30-minute metered spaces on Golden Gate Avenue and fifteen 1-hour spaces on Larkin Street. The curb on Golden Gate Avenue has two designated loading zones extending for lengths of 35 and 40 feet. The curb on Larkin has no loading zone. Additional 1-hour metered spaces are available on other streets surrounding the project site. Mid-afternoon occupancy of these spaces was approximately 83%.

Off street parking is currently available at several locations near the project site, including, the Civic Center Garage (McAllister between Polk and Larkin -- 850 spaces), Fox Plaza Garage (Hayes between Polk and Larkin -- 60 spaces), Opera Plaza (Van Ness and Golden Gate -75 spaces), the Performing Arts Center (Franklin and Hayes -- 600 spaces), and City Park (Grove between Larkin and Hyde -- approximately 144 spaces).

The San Francisco Downtown Plan EIR estimated there was a demand of 45,300 parking spaces in the C-3 (Downtown Commercial) district. The figure represents 94% of the 48,000 spaces located in and near the C-3 district. The short term parking demand, while representing 25% of the equivalent daily demand, is about 65% of the daily vehicle travel. This equivalent daily demand leaves a balance of 10% of the parking supply vacant. However, variations in short term demand may cause temporary localized overloads of parking facilities within certain areas of the downtown area while parking may be available at other locations within the city. /5/

## Transit

Transit preferential streets, according to the Downtown Transportation Plan, include Van Ness, Golden Gate, McAllister and Market (p. 17). The Center City Circulation Program has proposed that a contraflow transit lane be installed on Hayes Street by eliminating one westbound lane to allow eastbound bus traffic. /6/

The project site is served by local and regional transit. Local transit service is provided primarily by the San Francisco Municipal Railway (Muni). Twenty one Muni lines stop within three blocks (¼ mile) of the site; five are Metro lines and the balance are motor and trolley lines. The 19 Polk, 5 Fulton, 16X Noriega Express and 72X Sunset Express stop within one block of the site. Muni provides access to the regional transit systems such as Alameda-Contra Costa Transit (AC), Caltrans/Southern Pacific (SP), and San Mateo County Transit (SamTrans).

Regional transit service within the project area is provided by Bay Area Rapid Transit (BART) and Golden Gate Transit (GGT). The Civic Center BART and Metro (Muni subway) station is located about two blocks from the project site.

The transit agencies serving downtown San Francisco carry approximately 60% of the peak-period employee work travel, as well as about 20% of other peak-period travel. PM peak-hour and peak-period loadings on the local and regional transit routes were found to be near capacity for some of the routes in 1984 (see Table 4 ). The values shown in Table 4 are sums for the peak hour and two-hour peak periods. Individual transit vehicle loadings vary on a day-to-day basis bacause of fluctuations in ridership (demand) and because of variations in operating conditions caused by traffic congestion, equipment availability, and/or system breakdowns.

The 1982-1983 transit ridership and loading data used in the Downtown Plan Draft EIR analysis are summations of actual counts of individual transit lines for that period in time. Calculations are made on the basis of observed operating conditions, as opposed to scheduled operations. Muni supplied the data for the Downtown Plan Draft EIR analysis from its ongoing program of ridership checks.

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Table 4.

## 1982-1983 MUNI RIDERSHIP CHARACTERISTICS FOR ROUTES WITHIN STUDY AREA: EVENING COMMUTE PERIOD

| Line | Peak Hour V/C | Percent V/C | Load Factor | Peak Two-Hours V/C | Percent V/C | Load Factor |
|---|---|---|---|---|---|---|
| 5(TC) | 521/580 | 90 | 1.12 | 981/1180 | 83 | 1.04 |
| 6(TC) | 521/520 | 100 | 1.25 | 786/820 | 96 | 1.20 |
| 7(TC) | 400/420 | 95 | 1.19 | 695/820 | 85 | 1.06 |
| 8(TC) | 504/600 | 84 | 1.05 | 899/1260 | 71 | .89 |
| 9 | 330/381 | 87 | 1.21 | 748/874 | 86 | 1.20 |
| 16X | 321/403 | 80 | 1.12 | 443/560 | 79 | 1.11 |
| 19 | 342/426 | 80 | 1.13 | 614/874 | 70 | .98 |
| 21(TC) | 316/380 | 83 | 1.04 | 580/740 | 78 | .98 |
| 26 | 245/381 | 64 | .90 | 438/784 | 56 | .78 |
| 31 | 268/291 | 92 | 1.29 | 425/538 | 79 | 1.11 |
| 42 | 364/470 | 77 | 1.08 | 695/1008 | 69 | .97 |
| 47(TC) | 316/400 | 79 | .99 | 613/840 | 73 | .91 |
| 48 | 223/269 | 83 | 1.16 | 412/605 | 68 | .95 |
| 49 | not available | | | | | |
| 66 | 114/157 | 73 | 1.02 | not available | | |
| 71 | 414/358 | 116 | 1.62 | 618/650 | 95 | 1.33 |
| 72X | 145/179 | 81 | 1.13 | 212/314 | 68 | .95 |
| J(S) | 1000/1541 | 64 | 1.30 | 1581/2811 | 56 | 1.12 |
| K(S) | 1092/1360 | 80 | 1.61 | 2180/2907 | 75 | 1.30 |
| L(S) | 1008/1179 | 85 | 1.71 | 2634/3083 | 85 | 1.71 |
| M(S) | 1626/1813 | 89 | 1.79 | 2502/3360 | 75 | 1.72 |
| N(S) | 1833/2176 | 84 | 1.68 | 3053/4035 | 75 | 1.51 |

**Table Notes**

(S): Metro Subway
(TC): Trolley coach line
V/C: Volume-to-capacity ratio assumes recommended capacity of vehicle.
e.g. 125% of seats for trolley coaches
140% of seats for motor coaches
200% of seats for light-rail vehicles
Percent V/C: The average capacity between ridership and recommended capacity expressed in percentages.
Load Factor: The average ratio between ridership and seated capacity. e.g. for motor coaches and trolley coaches 1.0 = 48 passengers; 1.25 = 60 passengers; 1.4 = 67 passengers; 1.5 = 72 passengers. For light-rail vehicles, 1.0 = 68 passengers and 2.0 = 136 passengers.
Peak Hour: Hour with highest observed load factor.
Peak Two Hours: Two-hour period with highest observed load factor.

The Municipal Railroad has reevaluated service standards: the change established 1.25 or 125% of seated capacity as the optimal comfort load factor for trolley coaches and 1.4 or 140% of seated capacity for diesel coaches. The change affects system capacity estimates and V/C ratios, leaving load factors unchanged.

Source: San Francisco Department of City Planning, Guidelines for Environmental Review (Transportation Impacts), November 1984.

A survey of PM peak hour conditions for 1984 indicates that BART operates at Level of Service 'F', and Muni at Level of Service 'E.' /7/ These levels are the so-called crush conditions ('A' is considered the best Level of Service with the least crowding and delay). The other transit systems operated at Level of Service 'D' or better.

### Pedestrian/Bikeway

Adjacent to the project site official sidewalk widths are 12 feet on Larkin Street and 10 feet on Golden Gate Avenue. Existing pedestrian activity on the site is generated from the parking lot, retail store and restaurant. Effective widths (allowing for trees, signs and parking meters) are about 9 feet on Larkin and 6 feet on Golden Gate. Pedestrian use of the sidewalks is heaviest during the nontime hours and is 'unimpeded' on sidewalks and crosswalks adjacent to the project site.

Table 5 shows Pedestrian Flow Regimes used in the San Francisco Downtown Plan Appendix. These flows range from the "open" category where movement is unobstructed, to the "jammed" category where only shuffling movement is possible. No unusual pedestrian safety or congestion problems were observed at the site.

## TABLE 5.

## PEDESTRIAN FLOW REGIMES

| Flow Regime | Walking Speed Choice | Conflicts | Average Flow Rate (P/F/M)(a) |
|---|---|---|---|
| Open | Free selection | None | 0.0 - 0.5 |
| Unimpeded | Some selection | Minor | 0.5 - 2 |
| Impeded | Some selection | Indirect interaction | 2 - 6 |
| Constrained | Some restriction | Multiple | 9 - 10 |
| Crowded | Restricted | High probability | 10 - 14 |
| ---------Design Limit------Upper Limit of Desirable Flow---- | | | |
| Congested | All reduced | Frequent | 14 - 18 |
| Jammed | Shuffle only | Unavoidable | (b) |

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(a) P/F/M = pedestrians per foot of sidewalk per minute.

(b) For Jammed Flow, the (attempted) flow rate degrades to zero at complete breakdown.

Source: Pushkarev and Zupan, Urban Space for Pedestrians

Four bicyclists were observed in the vicinity during the AM and PM traffic volume counts. The bike plan of the Transportation Element of the City's Master Plan has designated one bikeway pass through the project site study area. A Class III Bikeway (route signs only) runs south of the project site near City Hall on Polk Street and along Grove Street. There are no Class I Bikeways (off-road, separate path) or Class II bikeways (striped lanes). Polk, Market, Grove, and Larkin are designated as preferred commute bike routes.

## Impacts

### Demolition, Excavation and Construction Traffic

During the demolition, excavation and construction periods, transportation impacts would result from truck movements to and from the project site. Demolition would require about four weeks and would generate an average of 30 truck movements per day in and out of the project site. Excavation would require approximately eight weeks, and would generate no more than 35 truck trips daily, with no more than five trips occurring during peak hours. The volume of truck traffic would not decrease service levels on streets near the site. Deliveries of construction materials during other phases of construction would be limited to the hours between 9:00 a.m. and 4:00 p.m. in order to minimize impacts on peak period traffic.

Sidewalks fronting the project site on Golden Gate Avenue and Larkin Street would be closed during demolition, excavation and construction. The parking lanes on these streets would also be closed to provide a temporary pedestrian walkway. Closure of these parking lanes would temporarily displace metered parking spaces and a loading zone. There would, however, be no significant reduction in traffic capacity during peak periods because these lanes are used only for parking. Assuming a 5-foot temporary pedestrian walkway width, pedestrian service levels would increase to the "impeded" range during peak periods.

Approximately 200 construction workers would be employed on the site during the 18 month actual construction period. This could generate between 160-200 auto trips during the evening commute period. Because construction workers work earlier hours, only a portion of this travel would occur during the 4:30 to 5:30 p.m. city-wide peak hour. The project site's location within close proximity to Muni and BART could result in fewer construction workers arriving at the project site in automobiles and, therefore, parking demand generated by construction workers could also be reduced.

The construction truck traffic would cause a slight lessening of the capacities of access streets and haul routes because of the slower movements and larger turning radii of trucks. Lane blockage on Golden Gate Avenue and Larkin Street, if it were to occur, would reduce the capacity of these streets. Blockage during times of peak traffic flow would be more likely to create conflicts than during non-peak hours because of the increased numbers of vehicles that would have to maneuver around queued trucks.

### Project Travel Demand

On the basis of land use, the project would generate about 4,766 person trip-ends (pte) per day. The trip generation calculations include travel to and from the project site by both visitors and employees of the project. Additionally, the trip generation includes all travel to and from the project site in autos, service vehicles and trucks, and on public transportation as well as other modes of transportation. /8/

Calculations indicate that based on the 4,766 person trip-ends generated daily, approximately 788 of these would occur during the p.m. peak two hour period, of which about 497 would occur during the p.m. peak hour. About 730 new outbound trips from the project are expected to occur during the p.m. peak-period, of which about 461 would occur during the p.m. peak hour. The geographical and modal distribution of the project travel is based upon projected modal splits for the year 2000 contained in the Downtown Plan EIR (EE 81.3). /9/ The future modal splits have been applied to the project travel for the purpose of comparing project travel with future travel demand on the transportation system serving San Francisco.

Trip generation rates of 33.1/1000 net square feet of office and educational space were used to estimate travel from the project. Because a State building generally houses one employee per every 150 net square feet of office space, this data was incorporated with the City of San Francisco's daily trip rate to yield a trip generation rate of 33.1 person trip-ends per 1,000 net square feet. However, the person trip-ends calculated for the proposed project represent a worst-case scenario because in calculating travel demand caused by other projects within the City of San Francisco, trip generation rates of 18.1 person trip-ends per 1,000 gross square feet of office space are used. The trip generation rate of 18.1/1000 gross square feet of office space is based upon one office employee per every 275 gross square feet as outlined in the Guidelines for Environmental Review, (Transportation Impacts), November 1984. Thus, trip generation rates for the proposed project are approximately one-third greater than would be calculated using City data.

## TABLE 6: PROJECT PERSON TRIP GENERATION /1/ /2/ /3/

| | | | Peak Period Trips (1-hr/2-hr) | |
|---|---|---|---|---|
| Land Use | Trip Rate | Daily Trips | Total | Outbound |
| 144,000 net sq. ft. educational and governmental space, including offices. | 33.1/1000 | 4,766 | 497/788 | 461/730 |
| Work Trips | | 1,908 | | |
| Non-Work Trips | | 2,858 | | |
| Total | | 4,766 | | |

**Table Notes**

/1/ State of California, Department of General Services, Office of Facilities Planning and Development, February 25, 1985. A State building generally houses one employee per 150 net square feet of development.

/2/ Other than the meeting/conference room on the ground floor of the project, all educational space in the proposed project will be administrative in nature. Thus, the daily trip rate of 33.1/1000 is used for both educational and governmental space.

/3/ The current on-site restaurant space comprises about 7,300 sq. ft. The restaurant space in the proposed project will be about 5,000 sq. ft. Because there will be a net decrease in the restaurant space with a corresponding projected net decrease in person trips generated by the restaurant, the daily trip rate does not include trips generated by the restaurant. Likewise, because the current on-site retail space comprises about 9,000 sq. ft. while the retail space in the proposed project will be about 1,280 sq. ft., the daily trip rate does not include trips generated by the retail space in the proposed project.

## Traffic

### Regional Analysis (1984 Cumulative Travel)

Regional analysis has been conducted for both the p.m. peak hour and two hour p.m. peak period. The p.m. conditions have been considered because they are usually the most severe on freeways and streets within San Francisco, whereas the a.m. peak conditions are the most severe at locations outside the City.

Regional screenline traffic demand in 1984 during the p.m. peak hour used between 90 - 100% of the available capacity on the freeways and bridges. (See Table 7. ) Although the Bay Bridge's capacity is calculated to be 9,000 vehicles per hour (vph), the 1984 peak hour demand represents the effective capacity.

Peak hour and peak period freeway operating conditions in 1984 were generally in service levels 'D' to 'E,' which indicates unstable flow in the 35 - 45 mph range. Appendix B shows the level of service definitions from freeway operations. All regional auto corridors operate at level of service "E' (volume to capacity ratio of 0.90 to 1.00). The Bay Bridge operates closer to capacity (0.99) during the peak period, while I-280 and U.S. 101 operates at a level of service 'D.'

### Regional Analysis (2000 Cumulative Travel)

Based on the San Francisco Downtown Plan EIR, demand during the peak hour in the East Bay and Peninsula corridors is expected to increase about 15% between the years 1984 and 2000. Peak hour demand in the North Bay corridor is expected to increase by about 6% between 1984 and 2000. (See Table 7.) The East Bay, Peninsula and North Bay corridors would have excess demand during the peak period. Excess demand would result in either a spreading of the demand into other hours around the peak period or in increased transit and ridesharing use should additional transit service or incentives be provided. Operating conditions at the regional screenlines would be at or over capacity with level of service 'F,' assuming that capacity along the auto corridor is not increased. Traffic flow conditions are expected to be very unstable and could experience temporary flow interruptions throughout the peak period.

## TABLE 7.

## OUTBOUND REGIONAL AUTO DEMAND

| | | 1984 | | Downtown Plan (2000) | | |
|---|---|---|---|---|---|---|
| Regional Auto Corridor | Capacity | Demand | Volume/ Capacity | Demand | Volume/ Capacity | Project[1] Percent |
| Peak Hour | | | | | | |
| Bay Bridge (I-80) | 9,000 | 8,540 | .95 | 9,790 | 1.09 | .0011 |
| Golden Gate Bridge (U.S. 101) | 7,200 | 6,740 | .94 | 7,150 | .99 | .0010 |
| U.S. 101 (south of Harney Way) | 8,000 | 7,390 | .92 | 8,400 | 1.05 | .0014 |
| I-280 (btw. Alemany Blvd/ San Jose Ave) | 8,000 | 7,610 | .94 | 8,650 | 1.08 | .0015 |
| Peak Period | | | | | | |
| Bay Bridge (I-80) | 18,000 | 17,880 | .99 | 19,330 | 1.07 | .0007 |
| Golden Gate Bridge (U.S. 101) | 14,400 | 13,870 | .96 | 14,850 | 1.03 | .0006 |
| U.S. 101 (south of Harney Way) | 16,000 | 14,200 | .89 | 16,530 | 1.03 | .0011 |
| I-280 (btw. Alemany Blvd/ San Jose Ave) | 16,000 | 13,620 | .85 | 15,890 | .99 | .0011 |

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[1] Jefferson Associates

Source: San Francisco Department of City Planning, 299 Second Street EIR, Draft 83.311E, February 8, 1985, p. 107

## 2000 Cumulative Travel with the Proposed Project

The project will not create any significant changes in the level of service above the background growth expected by the year 2000. The project is anticipated to increase traffic and volume to capacity ratios of 0.06% to 0.15% along all regional auto corridors during the p.m. peak hour and p.m. peak period.

## Intersection Analysis

The p.m. peak hour turning movement volumes were analyzed for the intersections at Larkin/Golden Gate, Larkin/McAllister and Hyde/Golden Gate. As shown in Table 8, these intersections generally operate at stable flows, characteristic of service level 'C' or better during the peak hour. (See Appendix B for service level definitions.) Intersection service levels are expected to decrease slightly between the years 1984 and 2000.

The project will include a 160 space parking structure, a decrease of 20 spaces in comparison to the existing on site parking facility. Therefore, the project will generate less auto traffic during peak hours and periods when compared to the currently existing on-site conditions. Intersection service levels will not be measurably affected by this decrease in traffic.

### TABLE 8.

### EXISTING AND PROJECTED PEAK HOUR SERVICE LEVELS

| | Service Levels | |
|---|---|---|
| Intersection | 1984 | Downtown Plan (2000) + Project |
| Golden Gate/Larkin | A | A/B |
| Golden Gate/Hyde | A | A/B |
| Larkin/McAllister | C | C/D |

Peak hour conditions are expected to deteriorate at all intersections by the year 2000. The Civic Center area traffic volume will increase by about 11% between the years 1984 and 2000. Table 8 shows that the intersections at Golden Gate/Larkin, Golden Gate/Hyde and Larkin/McAllister will decrease slightly in level of service by the year 2000. However, if mitigation measures for transportation impacts are implemented, intersection operating conditions would be improved.

### Parking

The project would remove the 180 currently existing off-street parking spaces, but would provide 160 new parking spaces. Two off-street loading spaces and delivery docks would be provided on Larkin Street. The City's Downtown Plan discourages new long term commute parking in and around downtown. The proposed project, by eliminating 20 parking spaces on-site, would not add any new long term parking. However, the parking supply would not equal the estimated parking damand. Based upon the project's travel patterns and modal split, the parking demand would be about 151 office parking spaces, calculated as follows:

> 1,908 daily work trips x 22% auto/1.6 persons per auto/two one-way trips per auto = 131 long-term parking spaces.
>
> 2,858 daily non-work trips x 10% auto/1.3 persons per auto/two one-way trips per auto/5.5 turnovers daily = 20 short-term parking spaces.

The project would generate demand for about 131 long-term parking spaces and 20 short-term parking spaces. Assuming the demand for all of the 180 existing spaces would remain, the project would result in a net deficit of 171 off-street parking spaces. This unmet demand could be accommodated by the estimated 600 unused on-street and off-street parking spaces found within an approximate one-quarter-mile radius from the project site. /10/

The San Francisco Downtown Plan EIR estimates that the C-3 District would generate demand for 58,000 daily parking spaces in the year 2000, an increase of 28 percent over 1984. Short term demand would continue to be about 25 percent of the total demand. The project demand would represent less than 1 percent of the total demand for the

C-3 district. The parking supply has been assumed to be about 51,000 spaces. If vehicular demand occurs as projected, the parking deficit would be 6,000 spaces. The Downtown Plan forecasts excess auto demand, for the year 2000, in the peak hour and the peak period. If the excess demand is accommodated by transit or ridesharing, then the overall parking demand would decrease from the above estimate by about 2,300 spaces. Alternatively, if the goals of the Downtown Plan are met, total parking demand in the year 2000 would be about 48,100 daily spaces, an increase of 6 percent over 1984. If the goals were achieved, there would not be a parking deficit.

### Transit Impacts

The proposed project would generate approximately 301 p.m. peak hour transit trips and a total of 496 trips would be generated during the p.m. peak period. The transit demand from the project would be between 0.06 to 0.70% of the total peak-hour travel demand on the individual transit carriers in the year 2000 depending on the transit mode (e.g. MUNI, BART, SamTrans, etc.). See Table 9.

Transit demand and capacity have been assumed to increase during the period from 1984 to 2000. The discussion of transit capacity increases for each agency are based on the Five-Year Plans and Capital Improvement Plans of the various transit agencies and are discussed in Appendix J of the Downtown Plan EIR, pp. J. 25-26, and incorporated herein by reference.

Future transit demand and loadings for the Downtown Plan in the year 2000 are shown in Table 9 for both the peak hour and peak period. The total transit demand from the project would represent about 0.35% of the total travel demand on the transit carriers in the year 2000 during the peak period.

MUNI service to the southwest and BART's Transbay service would exceed the desirable passengers per seat ratios of 1.25 and 1.30, respectively, during the year 2000 peak period. The transit demand in the two corridors in excess of the desirable loadings could be accommodated under crowded conditions. However, the excess demand is not beyond capacity. The excess demand of the desirable loadings would mean that additional transit service over that assumed to occur by 2000 would need to be provided to allow transit operations in the two corridors to meet the goals set by MUNI and BART. To meet the goal of 1.25 passengers per seat in the peak hour, MUNI would have to

## Table 9.

### OUTBOUND REGIONAL TRANSIT DEMAND AND SERVICE LEVELS

| Transit Agency | 1984 | | | DOWNTOWN PLAN (2000) | | | |
|---|---|---|---|---|---|---|---|
| | Demand | P/S[1] | LOS[2] | Demand | P/S | LOS | Project Percent[3] |
| **Peak Hour** | | | | | | | |
| Muni | | | | | | | |
| Northeast | 7,100 | 1.16 | D | 8,000 | 1.05 | D | 0.10 |
| Northwest | 8,200 | 1.26 | E | 10,100 | 1.25 | D | 0.58 |
| Southeast | 13,500 | 1.45 | E | 16,600 | 1.42 | E | 0.06 |
| Southwest | 5,300 | 1.06 | D | 7,400 | 1.01 | D | 0.70 |
| BART | | | | | | | |
| East Bay | 16,100 | 1.83 | F | 27,900 | 1.42 | E | 0.36 |
| Peninsula | 7,700 | 1.10 | D | 10,100 | 1.06 | D | 0.10 |
| AC Transit | 9,100 | 0.94 | C | 10,500 | 1.08 | D | 0.33 |
| GGT Bus | 5,300 | 1.00 | C | 8,500 | 0.91 | C | 0.30 |
| GGT Ferry | 800 | 0.57 | B | 1,500 | 0.30 | A | 0.37 |
| Tiburon Ferry | 200 | 0.40 | A | 300 | 0.60 | B | 0.33 |
| SamTrans | 1,900 | 1.12 | D | 3,100 | 1.19 | D | 0.37 |
| CalTrain (SPRR) | 3,100 | 0.61 | B | 4,900 | 0.79 | C | 0.34 |
| **Peak Period[4]** | | | | | | | |
| Muni | | | | | | | |
| Northeast | 12,600 | 1.06 | D | 15,000 | 0.96 | C | 0.24 |
| Northwest | 13,100 | 1.13 | D | 15,300 | 1.05 | D | 0.61 |
| Southeast | 23,300 | 1.31 | E | 29,100 | 1.04 | D | 0.08 |
| Southwest | 9,100 | 1.00 | C | 12,400 | 0.68 | C | 0.81 |
| BART | | | | | | | |
| East Bay | 25,800 | 1.54 | F | 44,600 | 1.14 | D | 0.34 |
| Peninsula | 11,300 | 0.80 | C | 14,800 | 0.78 | C | 0.16 |
| AC Transit | 14,000 | 0.95 | C | 17,200 | 1.17 | D | 0.33 |
| GGT Bus | 7,600 | 0.90 | C | 12,000 | 0.86 | C | 0.34 |
| GGT Ferry | 1,000 | 0.56 | B | 1,800 | 0.56 | A | 0.36 |
| Tiburon Ferry | 300 | 0.60 | B | 500 | 1.00 | C | 0.34 |
| SamTrans | 2,900 | 1.12 | D | 4,000 | 1.23 | D | 0.37 |
| CalTrain (SPRR) | 4,500 | 0.68 | B | 7,500 | 0.93 | C | 0.27 |

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[1] Passengers Per Seat is the ratio of total demand to seated capacity.

[2] Level of Service is a scale ranging from A to F that relates P/S ratios to passenger loading conditions on transit vehicles.

[3] The percent of demand generated by the project.

[4] San Francisco Downtown Plan Proposal for adoption by the City Planning Commission as a part of the Master Plan, October 1984, (p. 100-101).

Source: San Francisco Department of City Planning, Fifth and Market EIR Draft 0331EEC, June 1, 1984, p.114, 115.

increase service by about 14% in the southwest corridor over the amount of service assumed to occur in 2000. To meet the goal of 1.30 passengers per seat, BART would have to provide a transbay service increase of 14% over the amount of service assumed to occur by 2000.

**MUNI**

The Downtown Plan estimates peak hour total transit demand on MUNI in the year 2000 would increase about 25% over 1984 levels in the northeast and northwest corridors. MUNI demand in the southwest corridor is expected to increase about 40% between 1984 and 2000. Peak hour demand on the other agencies is expected to increase between 30 to 70% during the period 1984 to 2000.

The proposed project would generate approximately 107 p.m. peak hour trips and 206 p.m. peak period trips. The northeast and southwest corridors will receive the greatest number of peak hour (48) and peak period (79) trips, respectively. The project will generate approximately 0.35% of the travel demand for MUNI in the year 2000 during the peak period.

Peak period increases in demand would be between 15 and 70% from 1984 to 2000. Overall peak period transit travel is expected to increase about 30% between 1984 and 2000. Peak hour and peak period passenger loadings would be worse than in 1984, although most systems would operate at acceptable conditions (level of service 'D' or better). MUNI to the southwest would be at level of service 'E' during both the peak hour and peak periods.

It is important to note that the Five-Year Plan improvements for the transit systems are designed both to provide for future demand increases and to improve service levels from existing conditions. For new vehicles to expand system capacity, rather than represent simple replacement on a one-to-one basis, operating revenues would similarly need to be increased.

**BART**

By the year 2000 the proposed project would generate approximately 107 p.m. peak hour and 160 p.m. peak period new BART trips. The East Bay would attract more trips than any other district, with about 100 p.m. peak hour trips and 120 p.m. peak period trips.

If transit service were increased by the year 2000 as assumed in the Downtown Plan, transit operations and passenger comfort would be slightly better than under current 1984 conditions. Peak hour and peak period passengers-per-seat ratios would be lower than 1984 ratios because service in some corridors has been assumed to increase by as much as 80% between 1984 and 2000.

If the Downtown Plan's goals regarding increased transit use were achieved, and the proposals of the Plan regarding transit service improvements were to be fully implemented, the impacts on transit agencies would be less than described above. If the goals were achieved, transit agencies would experience greater demand than this analysis implies but overall passenger loadings would be lower (and within desirable levels) because of increased transit service availability.

### Pedestrian/Bikeway

The project would include one primary pedestrian entrance on Golden Gate Avenue. A second entrance will be provided from the plaza area on the project's eastern perimeter. The project would generate about 480 p.m. peak hour pedestrian trips and 875 pedestrian trips during the mid-day peak period of 11:00 a.m. to 1:00 p.m.

Existing and projected pedestrian flow conditions have been identified for sidewalks and crosswalks adjacent to the project site. These flows range from the 'open' category with no conflicts to the 'jammed' category where conflicts are unavoidable and walking becomes a shuffle. The projected flows reflect that pedestrian travel to and from the proposed project in the year 1990 would change to the 'impeded' range.

The project's parking facility would increase the potential for vehicle/pedestrian conflicts along Larkin Street. If the parking structure is used by employees, about 160 vehicles would cross the sidewalk during the peak period. The vehicles entering the structure during a peak period would be accomodated with little or no queuing (assuming self-serve or attendant-serve ticket dispensing). Inbound vehicles are not expected to block sidewalk pedestrian flows. The reduction in on-site parking from 180 to 160 spaces would decrease the number of vehicles entering and exiting the site, thereby reducing possible traffic conflicts to pedestrians, bicyclists and other vehicles.

The field observations demonstrate that the proposed project will not impact bicycle traffic within the study area.

### Service Vehicles

The San Francisco Downtown Plan requires off-street facilities for freight loading and service vehicles in all new developments. The project would provide two off-street loading spaces and a delivery dock accessible at grade from Larkin Street. The proposed loading space dimensions (40 feet in width and 45 feet in length, with a vertical clearance of 14 feet) provide substantial loading space. Thus, the proposed project would meet with the requirements of the San Francisco Downtown Plan, October 17, 1985, section 152.5 for office off-street loading facilities. This section states that within C-3 Districts, 0.1 off-street freight loading spaces are required for every 10,000 square feet of gross floor area. The proposed project's freight loading needs have been calculated according to the Downtown Plan and would be:

> 160,500 gsf office area at 0.1 space/10,000 square feet of gross floor area = 1.6 spaces.

It is estimated that about 10 to 15 truck visits would be made to the project site between the weekday hours of 8:00 a.m. to 5:00 p.m. These truck visits would include GSA trucks, UPS trucks, food trucks, and other delivery vehicles. Under normal conditions, no accumulation, double parking or traffic back-ups should occur due to loading operations.

### Mitigation Measures

The proposed project will include the following mitigation measures to reduce transportation and traffic impacts to an insignificant level:

1. Construction Impacts:

    (a) Ensure maintenance of safe and convenient pedestrian areas throughout the construction period on designated walkways around the project site;

    (b) Route construction travel away from heavily travelled streets and schedule construction traffic trips during non-commute hours whenever possible.

2. Design Impacts:

(a) Project design shall be sensitive to pedestrian accessibility:

(b) The parking facility would utilize warning devices to alert pedestrians to vehicles exiting the project onto Larkin Street.

3. Travel:

(a) A survey will be conducted within a year after full occupancy of the proposed project to analyze trip generation patterns of project occupants and actual pick-up and drop-off areas for carpools and vanpools;

(b) The State of California will initiate a transportation system management program (TSM) with goals of reducing impacts identified under this section. The program will include the following:

-- Ridesharing programs, such as computer matching for carpools and vanpools, employee outreach, and assistance in setting up carpools and vanpools;

-- Parking management programs giving preference to carpools and vanpools;

-- Work hours program, including flex-time and staggered work hours, in order to distribute trip generation over a two to three hour period instead of a short, intense peak period;

-- Transit services, including posting and distribution of schedules, maps, sale of transit tickets, passes, provision for bus shelters, etc.;

-- California State Department of General Services will install bicycle parking at the project.

## Notes

/1/ City and County of San Francisco, Department of City Planning, Transportation Element of the Master Plan, January 1983, p. 47.

/2/ Primary vehicular streets function as major routes for automobile and truck movements into and out of the downtown area.

/3/ City and County of San Francisco, Department of City Planning, Transportation Element of the Master Plan, January 1983, p. 47.

/4/ Interview with Parking Attendant, November 29, 1984.

/5/ Downtown Plan EIR, pp. IV.E. 16-18.

/6/ Contraflow lanes are travel lanes in which the normal direction of traffic is reversed to allow transit carriers to travel a more efficient route. Contraflow lanes are restricted to use by transit carriers.

/7/ San Francisco Department of City Planning, 229 Second Street EIR, Draft 83.311 E, February 8, 1985, p. 99.

/8/ The proposed project will include about 144,000 net square feet of space for governmental and educational use, including office space. A State Building generally houses one employee per every 150 net square feet. Incorporating this data with the City of San Francisco's daily trip rate yields a daily trip rate of 33.1/1000. This figure was used to obtain person trip information.

/9/ The Downtown Plan EIR contains a detailed description of transportation impacts in the greater San Francisco downtown area. The information contained in this EIR is not intended to be a comprehensive summary of the transportation analysis in the Downtown Plan EIR, but instead is intended to summarize portions relevant to this proposed project and its contribution to cumulative impacts. For a comprehensive analysis of transportation impacts included in the Downtown Plan EIR, see Section IV. E, Transportation Setting and Impact, Section V. E, Transportation Mitigation and Appendix J, Transportation and Circulation Analysis and Methodologies, incorporated herein by reference and summarized in this EIR as appropriate.

/10/ Field observations by Jefferson & Associates.

## F. AIR QUALITY

### Setting

San Francisco lies within the air basin regulated by the Bay Area Air Quality Management District (BAAQMD). The City's air quality is generally more free of pollutants than that of other urban sections of the Bay Area, largely because westerly and northwesterly winds blow pollutants from the City to the east and south. These winds also reduce the potential for the City to receive pollutants from elsewhere within the region.

The BAAQMD conducts monitoring of the ambient concentrations of six air pollutants: ozone ($O_3$), carbon monoxide (CO), total suspended particulates (TSP), lead (Pb), nitrogen dioxide ($NO_2$) and sulfur dioxide ($SO_2$). Based on monitoring data, the Bay Area, including San Francisco, currently is designated as a non-attainment area with respect to the Federal ozone and CO standards. A five year summary of the data collected at the BAAQMD monitoring station nearest the project site (about 2.2 miles southeast at 900 23rd St.) is shown in Appendix E. /1/ In 1984, there was one violation of the State and Federal eight-hour CO standard and one violation of the Federal secondary TSP standard. In 1983, there was one violation of the Federal and State one-hour average ozone standard and four violations of the State 24-hour average TSP standard; and in 1981 there was one violation of the State 24-hour average TSP standard.

The BAAQMD has also conducted 'hotspot' monitoring to identify localized CO problems. 'Hotspot' monitoring was conducted during the winter of 1980-81 at the intersection of Geary and Taylor Streets, about 0.4 miles northeast of the project site. /2/ The observed 8-hour average concentration was 11.5 ppm, which violates the 9 ppm State and Federal standard by 2.5 ppm. The high 1-hour average concentration of 15 ppm violates neither the 20-ppm State standard nor the 35-ppm Federal standard.

San Francisco's primary air quality problems are CO and TSP. In San Francisco, the major source of CO is motor vehicles. Ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. TSP levels are relatively low near the coast, increase in proportion to inland distances, and peak in dry, sheltered valleys. The primary sources of TSP in San Francisco are demolition and construction activities as well as motor vehicles.

San Francisco contributes to regional air quality problems, primarily ozone, in other locations within the Bay Area. Ozone is produced in the atmosphere through a complex series of photochemical reactions involving hydrocarbons (HC) and nitrogen oxides (NOx). High ozone levels occur primarily during the summer and fall. Ozone standards are violated most often in Santa Clara, Livermore and Diablo Valleys where local topography and meteorological conditions favor its accumulation.

In 1979, emissions from motor vehicles were the source of 94% of the carbon monoxide (CO), 36% of the hydrocarbons (HC), 7% of the TSP and 44% of the nitrogen oxides (NOx) in San Francisco. Power plant fuel combustion was the largest single source of sulfur oxides, about 33% of the total amount. These percentages are expected to apply to current conditions as well. /3/

San Francisco is situated in an Air Quality Maintenance Area which covers most of the metropolitan region. The 1982 Bay Area Air Quality Plan, which is part of the State implementation plan for California, has been prepared and adopted to assist the entire region in attaining air quality standards by the 1987 deadline specified in the Federal Clean Air Act. /4/ Actions called for in the Plan include stationary and mobile source emission controls and transportation improvements. The BAAQMD, Metropolitan Transportation Commission and California Bureau of Automotive Repair have primary responsibility for the Plan's implementation.

### Impacts

Upon completion, the project would affect air quality in two ways. Emissions would be generated by project-related traffic and by combustion of natural gas for building space and water heating. Natural gas is a relatively clean-burning fuel; therefore, no visible plume would occur from its use. Exhaust gases would be emitted at rooftop level and would be diluted to concentrations well below the ambient air quality standards before reaching ground level. Transportation sources would account for over 95% of the project-related emissions. During its construction period, the project will generate an increase in dust (TSP). The dust will be particularly troublesome when site excavation and grading occurs during windy periods.

Projected daily emissions of pollutants from project-generated traffic in 1990, from cumulative development in the San Francisco C-3 District for the years 1990 and 2000 (as projected by the Downtown Plan EIR, EE81.3, certified October 18, 1984) and from the entire Bay Area as predicted by the 1982 Bay Area Air Quality Plan are indicated in Table 10. Project-related traffic would account for approximately 0.4% of the anticipated 1990 CO emissions generated in the C-3 Downtown Plan area and an infinitesimal portion of the total daily Bay Area emissions of CO in 1990.

Alternative 1 to the Downtown Plan (as covered in the Downtown Plan EIR) would generate about 38% more emissions in 2000 from development occuring between the years 1990 and 2000 than would the Downtown Plan. Alternative 4 would generate about 7% less emissions, and, likewise, emissions generated by alternatives 2, 3 and 5 would also fall within this range. /5/

Project-related traffic would also generate approximately 0.2-0.4% of the total daily emissions from the Downtown Plan area of hydrocarbons and nitrogen oxides. By use of the Livermore Regional Air Quality (LIRAQ) model, BAAQMD has determined the sensitivity of ambient ozone levels to hydrocarbon and nitrogen oxide emissions. The Bay Area's ambient ozone concentrations were shown to be about equally affected by changes in the emissions of hydrocarbon and nitrogen oxides. However, such changes in the emissions of hydrocarbon and nitrogen oxide have opposite effects. Increasing hydrocarbon emissions would increase ozone concentrations, while an equal increase in nitrogen oxide emissions decreases the ozone concentration by about the same amount. /6/

## TABLE 10.

## PROJECTED DAILY POLLUTANT EMISSIONS

| | Total Emissions (tons per day) | | | | |
|---|---|---|---|---|---|
| | Project[1] | Downtown Plan[2] | | Bay Area[3] | |
| Pollutant | 1990 | 1990 | 2000 | 1990 | 2000 |
| Carbon Monoxide | .21 | 56.0 | 53.5 | 1,952 | 1,883 |
| Hydrocarbons | .02 | 4.7 | 5.0 | 428 | 428 |
| Nitrogen Oxides | .01 | 6.1 | 5.9 | 558 | 610 |

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[1] Prepared with use of URBEMIS #1 model, State of California, Air Resources Board, Regional Programs Division. Assumes same employee trip factors and modal split factors as in transportation impacts. Assumes 20 mph non-work travel speeds and 30 mph work trip travel speeds.

[2] Cumulative total emissions of C-3 District development, per Downtown Plan EIR, Table IV.I.2, page IV.I.12.

[3] Cumulative total emissions of Bay Area development, per ABAG, BAAQMD, MTC, 1982 Bay Area Air Quality Plan, pp. 42, 53, and 112.

Source: Jefferson Associates, Inc.

Although the project and new downtown development between 1984 and 1990 would create additional emissions, total HC, NOx and CO emissions associated with the entire Downtown Plan study area are projected to be less in 1990 than in 1984 because declining HC, NOx and CO emission rates per average motor vehicle (due to the continuing introduction into the vehicle fleet of new vehicles equipped with improved emission controls) would more than offset the increased number of emission sources associated with the new development.

In 1990 and 2000 (as projected by the Downtown Plan EIR), area-wide traffic volumes in the downtown area would increase by about 8% and 15%, respectively, over 1984 volumes; average traffic speeds would decrease by about 1 mph and 2 mph, respectively, from 1984 speeds. However, in 1990 and 2000 the average vehicle is expected to emit 32% and 43%, respectively, less carbon monoxide (CO) than in 1984 due to ongoing State and Federal emissions controls.

Carbon monoxide concentrations at eleven intersections in the Downtown area were analyzed in the Downtown Plan EIR. /7/ Carbon monoxide concentrations are projected to decrease at all eleven sites between the years of 1984 and 2000 with only one location (Brannan and Sixth) having carbon monoxide levels greater than the State or Federal standards.

Carbon monoxide concentrations at selected intersections affected by project-generated and cumulative development traffic (based on Downtown Plan EIR growth projections) were projected for worst-case conditions and compared with the ambient standards in Table 11. These projections were calculated using a revised version of the Modified Linear Rollback (MLR) method which was developed for the Downtown Plan EIR.

## TABLE 11.

## PROJECTED WORST-CASE CURBSIDE CARBON MONOXIDE CONCENTRATIONS AT SELECTED INTERSECTIONS

| | | Concentrations (ppm)[1] | | |
|---|---|---|---|---|
| | | | Downtown Plan[2] | |
| Intersection | Time | 1984 | 1990 | 2000 |
| Larkin/Golden Gate | 1 hour | 14.3 | 10.6 | 9.7 |
| | 8 hour | 11.9 | 8.8 | 7.9 |
| Hyde/Golden Gate | 1 hour | 13.6 | 10.2 | 9.4 |
| | 8 hour | 11.4 | 8.4 | 7.6 |
| Larkin/McAllister | 1 hour | 12.6 | 9.6 | 8.9 |
| | 8 hour | 10.8 | 8.0 | 7.3 |

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[1] Calculations for all scenarios were made using a revised version of the Modified Linear Rollback (MLR) method described in the Downtown Plan EIR. Background concentrations were calculated to be 7.4 ppm for 1 hour and 5.7 ppm for 8 hours in 1984, 6.0 ppm for 1 hour and 4.5 ppm for 8 hours in 1990, 5.7 ppm for 1 hour and 4.1 ppm for 8 hours in 2000. Underlined values are in excess of the State or Federal CO standards. The 1-hour State standard is 20 ppm, the 1-hour Federal standard is 35 ppm, and the 8-hour State and Federal standards are 9 ppm.

[2] Based on growth projection methodology contained in Downtown Plan EIR, Table IV.I.3, page Comments and Responses - I.8.

Source: Jefferson Associates, Inc.

Currently, the 8-hour standard is estimated to be violated at all three intersections surrounding the project site (Larkin/Golden Gate, Hyde/Golden Gate and Larkin/McAllister). The projected 1-hour concentrations are within the standards. Carbon monoxide concentrations for these three intersections are predicted to be reduced in 1990 and 2000 from 1984 levels and would not violate either of the two standards.

The California State Legislature has mandated a biannual Inspection and Maintenance Program applicable to most cars and light trucks in California. The program became effective in March 1984. Vehicles must have required emission control equipment which meets standards for hydrocarbon and carbon monoxide. An Inspection and Maintenance Program was evaluated in the 1982 Bay Area Air Quality Plan based on the 1979 source inventory. The results of this plan indicated a reduction in total motor vehicle generated carbon monoxide of about 18%. The reduction in total regional CO emissions would be about 16%; the reduction in motor-vehicle generated hydrocarbons would be about 17%; and the reduction in total regional hydrocarbon emissions would be about 6%. Thus, the Inspection and Maintenance Program is expected to result in reductions in hydrocarbon and CO emissions. Since carbon monoxide concentrations in San Francisco are due almost entirely to motor vehicles, future carbon monoxide levels are predicted to be about 18% lower than would have occurred in the absence of the Inspection and Maintenance Program. Therefore, the curbside concentrations listed in Table 8 are expected to be about 18% higher than actually occur.

The project as well as other downtown development permitted under the Downtown Plan would not conflict with the pollution reduction strategies recommended in the 1982 Bay Area Air Quality Plan. This plan contains strategies which consist primarily of HC and CO emission controls on stationary sources and motor vehicles and are aimed at attaining the Federal ozone and CO standards. Cumulative downtown development is projected by the Downtown Plan EIR potentially to result in a violation of the 8-hour CO standard at the Brannan and Sixth Street intersection. The model used to make the CO projections might not be accurate to within the percentage of excess. Therefore, until additional 'hotspot' monitoring is performed to validate the model projections, a determination of whether cumulative downtown development would conflict with the objectives in the 1982 Bay Area Air Quality Plan regarding CO cannot be made.

## Mitigation Measures

The various transportation system management measures identified in this EIR under Transportation, Traffic and Circulation will be enacted to reduce the project's air quality effects. These measures include encouragement of use of transit services by employees, flexible and staggered work hours, bicycle parking, ride-sharing and implementation of parking management programs. Soil and demolition materials will be watered twice daily to reduce dust by about 50%.

## Notes

/1/ Bay Area Air Quality Management District (BAAQMD), March 1985, "1984 Emissions Inventory," San Francisco, California.

/2/ Association of Bay Area Governments, (ABAG, BAAQMD, and Metropolitan Transportation Commission (MTC), January 1982, AQMP Tech Memo 40, "Results of the 1980/81 Hotspot Monitoring Program for Carbon Monoxide," Berkeley, California.

/3/ San Francisco Department of City Planning, 299 Second Street EIR, February 8, 1985, p. 46.

/4/ ABAG, BAAQMD, MTC, December 1982, 1982 Bay Area Air Quality Plan, Berkeley, California.

/5/ Impacts anticipated from cumulative downtown development have been analyzed in the Downtown Plan EIR, October 18, 1984. The air quality setting, impacts and alternatives discussion in the Downtown Plan EIR (Vol. 1, pp. VI.I.1-19 and VII.I.1-8; Vol. 2, pp. 0.1-9) is summarized in the text of this EIR and incorporated herein by reference.

/6/ Downtown Plan EIR, Vol. I, pp IV.I.1-19.

/7/ Downtown Plan EIR, Table IV.I.3, page IV.I.16.

## G. CONSTRUCTION NOISE

### Setting

Noise-sensitive land uses in proximity to the proposed project site include the Hastings Law Library, the State and Federal Buildings on Golden Gate Avenue and residential development to the south and north of the project site. The noise environment of the project site is dominated by vehicular traffic, including trucks, automobiles, emergency vehicles and buses. This environment is typical of downtown San Francisco and the Civic Center area. According to the Downtown Plan EIR, the area has a wide range of traffic noise levels which range from 65 - 75 dBA. /1/ /2/ /3/ The Environmental Protection Element of the Comprehensive Plan (1974) indicates a day-night average noise level (Ldn) /4/ of 70 dBA on Golden Gate Avenue and an Ldn of 65 dBA on Larkin Street, adjacent to the project site. /5/

### Impacts

During the estimated 21 months of demolition, excavation and construction, increased noise levels can be expected in the surrounding area. Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and listener, and presence of barriers between the noise source and listener.

Table 12 shows typical exterior noise levels associated with the different phases of construction. (See Appendix D for a table of typical noise levels found in the everyday environment.) Interior noise levels at 50 feet from the source would be about 10 to 15 dBA less than those shown in Table 12. Closed windows would reduce noise levels by about 20 to 25 dBA below those shown in the table.

### TABLE 12. TYPICAL COMMERCIAL/INDUSTRIAL NOISE LEVELS AT 50 FEET

| Construction Phase | Average Noise Level (dBA) |
|---|---|
| Ground Clearing | 84 |
| Excavation | 89 |
| Foundations | 78 |
| Erection | 87 |
| Finishing | 89 |

Source: D. N. May, Ph.D., 1978, Handbook of Noise Assessment, Van Nostrand Reinhold Environmental Engineering Series, p. 211.

During the approximately four weeks of demolition, it is probable that a crane with a wrecking ball would be used for some demolition work. Rubble would be loaded on trucks by front-end loaders and removed from the site. During the approximately eight weeks of excavation, jackhammers, bulldozers, front-end loaders, graders, and trucks would typically emit levels of 80-90 dBA measured at 50 feet.

It is probable that pile drivers will be required during the construction period. Conventional unmuffled and unshielded pile drivers generate significant noise levels, typically emitting noise levels of up to 105 dBA measured at a distance of 50 feet. If pile drivers are required, noise levels inside the commercial-residential buildings opposite the project site on Golden Gate Avenue would be expected to reach 92 dBA, assuming the windows were open for ventilation. Noise levels would reach about 82 dBA with windows closed. At this level, relaxed conversation would be difficult and telephone conversation could be interrupted. /6/ Noise levels inside the residential buildings behind the project site would reach about 95 dBA with windows open, while noise levels in the Hastings Law Library would reach about 85 dBA, with windows closed. Noise levels in the State office building at 455 Golden Gate Avenue would reach about 82 dBA, with windows closed.

The effects of human exposure to high noise levels have been widely studied. /7/Sounds exceeding 35 to 40 dBA can interfere with sleep. Sounds above 60 dBA interfere with normal speech. When sounds exceed 70 dBA, noise begins to interfere with concentration and work performance. Prolonged exposure to sounds between 90 and 100 dBA can cause hearing damage.

Impact wrenches used during the approximately 28 weeks of building erection would emit about 95 dBA at a distance of 50 feet. When impact wrenches are used, noise levels would be expected to reach 82 dBA inside the commercial-residential buildings opposite the project site on Golden Gate Avenue, with windows open. Noise levels would reach 85 dBA in residential buildings behind the project site (windows open), while noise levels in the Hastings Law Library would reach about 75 dBA (windows closed). Noise levels in the State office building would reach 72 dBA (windows closed).

Another project is currently under construction on Turk Street, between Larkin and Hyde, about 1 block from the project site. Should this project's construction schedule coincide with that of the proposed project, noise levels in the buildings opposite the site on Golden Gate Avenue would be expected to increase by about 1 dBA. This increase would not be noticeable; a 3 dBA change is considered a just noticeable difference.

Should one project be completed and a second begin soon after, noise effects would be prolonged.

Construction noise levels would be highest (other than for pile driving) during the periods of excavation and building finishing. Noise from pile driving, if required, could reach 105 dBA at 50 feet.

## Mitigation Measures

To reduce impacts from construction noise, the following mitigation measures are included as part of the proposed project: The noise levels of construction equipment other than impact tools will not exceed 80 dBA at 100 feet. Impact tools (jackhammers, pile drivers, impact wrenches) must have both intake and exhaust muffled. The construction contract would require that the project contractor muffle and shield intakes and exhaust, shroud or shield impact tools, and use electric-powered rather than diesel-powered construction equipment, as feasible, so that noise emissions from equipment other than impact tools would be limited to 80 dBA at a distance of 100 feet. If pile driving is required, the College will require that the general contractor pre-drill pile holes. Pre-drilling the holes reduces the number of blows required to drive each pile home, thereby reducing the total noise exposure of the surrounding area.

In addition, the general contractor would construct barriers around the site, and around stationary equipment such as compressors, to reduce construction noise by as much as 5 dBA. The general contractor would, to the extent possible, locate stationary equipment in pit areas or excavated areas to serve as noise barriers. Construction activities would be limited to hours between 7:00 a.m. and 8:00 p.m. to reduce disturbance to residents of buildings north and south of the project site, when the noise level created increases the ambient noise condition by 5 dBA or more at the nearest property line.

**Notes**

/1/ San Francisco Department of City Planning, Downtown Plan EIR, 1984 Vol. I, pp. IV.J.1-19.

/2/ Decibel (db): A logarithmic unit of sound energy intensity. Sound waves, traveling outward from a source, exert a force known as sound pressure level (commonly called "sound level") measured in dicibels.

/3/ dBA: Decibel corrected for the variation in frequency response to the typical human ear at commonly encountered noise levels.

/4/ Ldn: An averaged sound level measurement, based on human reaction to cumulative noise exposure over a 24-hour period, which takes into account the greater annoyance of nighttime noises. Noise between 10 p.m. and 7 a.m. is weighted 10 dBA higher than daytime noise.

/5/ City and County of San Francisco, Environmental Protection Element of the San Francisco Comprehensive Plan, Transportation Noise, p. 17.

/6/ Central Institute for the Deaf for the U.S. Environmental Protection Agency, Effects of Noise on People, 1971, pp.39, 49, 67, 68, 118.

/7/ Bolt Beranek and Newman, Fundamentals and Abatement of Highway Traffic Noise, May 1973, pp. 1-19 to 1-22.

## H. ENERGY

### Setting

Pacific Gas and Electric Company (PG&E) supplies energy to San Francisco customers. Electrical energy is generated from various sources including oil, natural gas, hydroelectric, geothermal, nuclear, wind, cogeneration and solid waste. /1/ In future years, PG&E expects to generate electricity from these sources and from coal. The proportion of energy generated from oil and gas is expected to decrease by 1990 with corresponding increases in the proportion of energy generated from other sources listed above. /2/

Annual energy consumption by existing uses on the site, (office, retail, educational) is 0.23 million kWh of electricity and 18,938 therms of natural gas, equal to about 4 billion Btu at the source. /3/ /4/

### Impacts

Removal of existing on site structures would require an unknown amount of energy. Project construction, including fabrication and transportation of building materials, worker transportation, site development and building construction would require about 380 billion Btu of energy in the form of gasoline, electricity, natural gas, and diesel fuel. /5/

The proposed project will either meet or exceed standards in Title 24 of the California Administrative Code. Title 24 establishes energy conservation standards for the design and construction of buildings. Requirements of the standard will be satisfied through the component performance standards method which requires the incorporation into a building of a set of specific design features, through the use of nondepletable energy resources, or by demonstrating that the building would consume no more than a specified quantity of energy, expressed as Btu's per square foot per year (energy budget). Wherever appropriate and economically feasible, the building will incorporate energy conserving design features.

At this stage in the project design, there is insufficient information upon which to base a building energy budget analysis for either Title 24 compliance or other engineering purposes. Therefore, estimates of the likely energy consumption of the proposed project have been made based upon comparisons with other recent projects in San Francisco and assuming compliance with Title 24 by the energy budget method. The resulting estimates are listed in Table 13.

Daily and annual load distribution curves for the project cannot be estimated at this time due to lack of detailed design information. /6/ Because load curves are not governed by Title 24, reasonable assumptions are not readily available. However, similar projects in San Francisco for which load curves have been developed show peak electrical consumption occurs on hot August or September afternoons (due to demand for cooling). This time period coincides with PG&E's systemwide peak. Natural gas demand at other office projects within San Francisco has been predicted to peak during cold January mornings. This period does not coincide with the PG&E system-wide peak, which occurs on cold January evenings. Peak daily natural gas consumption for the proposed project is anticipated to be about 9 million Btu per day or about .0002% of the PG&E peak load of about 4.1 trillion Btu per day.

### Table 13. ESTIMATED PROJECT ENERGY USE /1/

| | |
|---|---|
| **Allowable Under Title 24 Energy Budget** | |
| Total annual Btu /2/ per square foot of office space | 126,000 Btu per sq. ft. per year |
| Total annual Btu per square foot of retail space | 200,000 Btu per sq. ft. per year |
| **Daily Natural Gas Consumption /3/** | |
| Estimated daily natural gas consumption per square foot | 37 Btu |
| Estimated peak daily natural gas consumption /4/ | 88 therms |
| **Monthly Electric Consumption /5/** | |
| Estimated monthly electric consumption per square foot | 1.2 Kilowatt hours |
| Estimated total monthly electric consumption | 0.2 million Kilowatt hours |
| **Annual Consumption** | |
| Estimated total annual natural gas consumption | 20,500 therms |
| Estimated total annual electric consumption | 2.3 million Kilowatt hours |
| Connected Kilowatt load | 2,600 Kilowatts |
| Estimated total annual energy consumption (excluding transportation-related energy consumption) | 25 billion Btu (4,310 barrels of oil) |

**Footnotes for Table 13.**

/1/ The project would include about 160,530 square feet of office space including educational offices, about 5000 square feet of restaurant space, and about 1,300 square feet of retail space. Energy use includes space conditioning, heating and lighting in accordance with allowable limits under Title 24. Estimated electricity includes an additional 3 Kilowatt hours per sq. ft. per year consumed by typewriters, computers, coffeemakers, etc., although not included in the Title 24 estimates. Transportation energy use appears in a separate table.

All calculations are based on information supplied by Sally Maxwell, San Francisco Department of City Planning, oral communication, February 1986, and are available for review at Hastings College of the Law.

/2/ Btu (British Thermal Unit): A standard unit for measuring heat. Technically, it is the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit (251.97 calories) at sea level.

/3/ The assumed split between electricity and natural gas for office and retail (90% electricity, 10% natural gas) uses is based upon predicted consumption rates of other San Francisco projects. However, this split is sensitive to the design used; actual consumption rates may differ considerably.

/4/ Because detailed engineering studies have not been performed for the proposed design, estimates of peak natural gas consumption are highly speculative. It is estimated that peak demand may be about 50% greater than average demand.

/5/ The amount of electricity that would actually be used includes non-occupant loads covered by Title 24 as well as electric loads from computers, copiers and typewriters.

/Note/ Energy Conversion Factors

One gallon gasoline = 125,000 Btu

One Kilowatt (Kw) = 10,239 Btu assuming operational efficiency of 33% for fossil or nuclear fueled power plant.

One therm = 100,000 Btu

One cu. ft. of natural gas = 1,100 Btu at source

One barrel of Oil = 5,600,000 Btu.

---

Project-related transportation would cause additional, off-site energy consumption (see Table 14, below). For the project trip generation described in this EIR, Transportation, Circulation and Parking section, project-related trips would require about 145,000 gallons of gasoline and diesel fuel and about 765,000 kWh of electricity annually. The total annual transportation energy demand, converted with at-source factors to a common thermal energy unit, would be about 26 billion Btu. This projected use is based upon the mix of highway vehicles in California in 1987. Vehicle fuel use is expected to decrease as the vehicle fleet becomes more efficient.

### TABLE 14.
### PROJECT RELATED ANNUAL TRANSPORTATION ENERGY CONSUMPTION [1]

| | Electricity kw hrs | Gasoline Gallons | Diesel Gallons | Total Btu Millions |
|---|---|---|---|---|
| Auto/Taxi/ Jitney/Motorcycle: | -- | 129,507 | -- | 16,188 |
| BART: | 628,055 | -- | -- | 6,430 |
| Muni Electric: | 137,470 | -- | -- | 1,407 |
| Regional Bus Systems: | -- | -- | 12,390 | 1,718 |
| SPRR | -- | -- | 2,950 | 409 |
| Project Total | 765,525 | 129,507 | 15,340 | 26,152 |

[1] The methods used to calculate these figures are described in detail in the Downtown Plan EIR, EE81.3, certified October 18, 1984, Apppendix N and the associated data is contained in Table No. 6.

Projections of electrical use for growth that would occur under the Downtown Plan EIR indicate an increase of about 210 million kWh of electricity per year between 1984 and 1990 as a result of all new development occurring in the C-3 District. /7//8/ From the period 1984 to 2000, electrical consumption rates would increase by about 330 to 350 million kWh per year above present figures, or about 120 to 140 million kWh per year above the increases estimated for the 1984-1990 period. /9/ Electric requirements for development that would occur with the alternatives analyzed in the Downtown Plan EIR would increase between 300 through 500 million kWh per year between 1984 and 2000. /10/

On the basis of growth estimates contained in the Downtown Plan EIR, the City Planning Department estimates that, between 1984 and 2000, gas consumption will grow by 470 million cubic feet (about 5 million therms) per year of which 210 million cubic feet (about 2 million therms) per year would be for office uses. /7/ /8/ Natural gas requirements for development that would occur with the alternatives analyzed in the Downtown Plan EIR would increase between 580 and 810 million cubic feet (about 6 to 9 million therms) per year between 1984 and 2000. /10/

PG&E, in examining its 10-year load growth projections for San Francisco believes that growth rates of net new office space in the downtown area will diminish from the historic figure of 1.5 million square feet per year to between 1 million and 1.2 million square feet per year. /11/ Total increased energy demand over the next decade would be approximately 200 million kWh of electricity per year. The PG&E projection cannot be compared to the projections in the Downtown Plan EIR because they cover different time periods. /12/

A comparison of the Downtown Plan and PG&E estimates of electricity use between 1990 and 2000 in downtown San Francisco is being prepared by PG&E, to be released in a report later this year. PG&E plans to meet increased San Francisco energy demands to the year 2000 are on pp. IV.G.13-14 of the Downtown Plan EIR, which are hereby incorporated by reference. In summary, that material indicates the demand increases in electricity would be met from nuclear sources, oil and gas facilities, hydroelectric and geothermal facilities, and other sources such as cogeneration, wind and imports. PG&E plans to continue receiving most of its natural gas from Canada and Texas under long-term contracts.

## Mitigation Measures

The proposed project will meet or exceed standards in Title 24 of the California Administrative Code. Although no decisions concerning mitigation measures for energy consumption have been made, the following potential measures are under consideration as part of the design process:

- increased use of daylighting
- passive solar features
- load shedding
- individual fan units on each floor
- parabolic lighting
- high-efficiency ballasts for fluorescent lighting
- high-efficency motors
- computerized energy management
- fluorescent lighting (wattmisers) using two bulbs per fixture instead of four
- energy-efficient outdoor lighting
- variable air volume space conditioning system.

Final decisions would be made on the basis of life cycle costing and compatibility with the overall disign.

### Notes

/1/ Information supplied by Sally Maxwell, San Francisco Department of City Planning, June 19, 1985.

/2/ Ibid.

/3/ Existing energy use is based on PG&E customer billings for 1984; at-source thermal energy, given in British thermal units (Btu), is based on information from PG&E, Technical Services Department, May 10, 1984, via Sally Maxwell, San Francisco Department of City Planning, May 13, 1985.

/4/ The British thermal unit (Btu) is the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at sea level. The term "at-source" means that adjustments have been made in the calculation of the thermal energy equivalent (Btu) for losses in energy that occur during generation, transmission, and distribution of the various energy forms as specified in: ERCDC, 1977, Energy Conservation Design Manual for New Non-Residential Buildings, Energy Conservation and Development Commission, Sacramento, California, and Apostolos, J. A., W. R. Shoemaker, and E. C. Shirley, 1978, Energy and Transportation Systems, California Department of Transportation, Sacramento, California, Project #20-7, Task 8.

/5/ Hannon, B, et. al, 1978, "Energy and Labor in the Construction Sector," Science 202: 837-847.

/6/ This paragraph is based on information contained in the City of San Francisco, 299 Second Street Draft EIR, 83.311 E, February 8, 1985, p. 125.

/7/ San Francisco Department of City Planning, Downtown Plan Environmental Impact Report, EE 81.3, certified October 18, 1984, Vol. 1, page IV.G.1-IV.G.17.

/8/ Energy consumption factors of 18 KWh sq.ft./year and 11 cu.ft.year (about 12,100 BTU) are based on unpublished data of actual building consumption rates supplied by Sally Maxwell, Department of City Planning, personal communication, July 19, 1985, and include base power consumption of the building core (uses covered by Title 24) and power demands of electric office machines (uses not covered by Title 24).

/9/ The Downtown Plan EIR uses a consumption rate factor of 18 kWh/sq.ft./year from 1984-1990 and 16 kWh/sq.ft./year from 1990-2000. These different factors are due to Title 24 revisions to reduce building energy budgets. These new standards would be reflected by lower electrical consumption in buildings occupied after 1990. City and County of San Francisco, 1984 Downtown Plan EIR, Vol. 1, pp. VII.G.1-VII.G.17.

/10/ City and County of San Francisco, 1984 Downtown Plan EIR, Vol. 1, pp. IV.G.1-IV.G.17 and pp. VII.G.1-VII.G.4.

/11/ Information supplied by Sally Maxwell, based on a March 23, 1984 letter from Ken Austin, Commercial - Industrial Marketing Supervisor, PG&E.

/12/ PG&E's analysis of a typical office building yielded an annual consumption of about 17 kWh per sq. ft. per year which agrees with the City's estimate within the limits of estimation methodology.

## I. EMPLOYMENT AND HOUSING FACTORS

### EMPLOYMENT

### Setting

The project site currently supports a variety of occupations. The existing uses include a restaurant, a retail outlet, a parking lot and education. These uses generate approximately 20 jobs including 10 restaurant employees, 5 retail employees, 3 parking lot attendants and 2 custodial workers. Because the College will work with the on-site educational users to locate interim space and it is anticipated that upon completion the educational employees will be located within the project, these employees are not included within this discussion.

Within San Francisco and the Bay Area, office employment accounted for 60% of employment growth during the 1970s and presently represents more than one-half of all Bay Area jobs. The potential for continued economic growth in downtown San Francisco is influenced by many factors such as expanding regional, national and international markets for which San Francisco is already well-suited as a financial, business service and corporate headquarter center. It is also influenced by growth in Pacific Basin trade and business relationships, by increased tourism and convention activity and by downtown San Francisco's established role as a primary retail location in the region. /1/ Considering all of these factors, total employment in San Francisco's C-3 (Downtown Business) zoning district is expected to increase by about 91,000 jobs between 1984 and 2000. /2/ Calculations indicate that there will be approximately 5,400 construction jobs per year in the C-3 district between 1984 and 1990, and about 4,300 construction jobs per year between 1990 and 2000. /3/ A large amount of employment growth is expected in the Bay Area region between 1984 and 2000; however, over time, San Francisco is likely to represent a constant or declining share of total regional employment. /4/

The San Francisco Building Owners and Managers Association (BOMA) reported a citywide vacancy rate of 6.8% based on a 1984 citywide survey of 315 office buildings. /5/ This rate represents a decrease from the 7.1% rate reported by BOMA in its October 1983 survey, and an increase over the 3.7% rate reported in 1982. According to a September 1984 Coldwell Banker survey, the vacancy rate in downtown San Francisco office buildings was 9.0%. This 9.0% rate represents an increase from 0.1% during June 1981 and 6.1% during June 1983. The surveys indicate a general trend of increasing vacancy rates for downtown San Francisco office buildings over the past three years.

Accompanying the increase in office vacancy rates with San Francisco, there has been an increased demand for office space in other parts of the Bay Area. Approximately 6.0 million square feet of office space in nine new structures is proposed for construction in Oakland over the following 10 years, approximately 17 million square feet of office space is proposed or under construction along the U.S. 101 corridor in San Mateo County, and 15.8 million square feet of office space is proposed or under construction in Contra Costa County. These totals include projects in various stages of public review, and some of the projects may not be built.

### Impacts

Excavation, demolition and construction activities are expected to occur over a 21-month period. The activities would generate about 183 person years of construction labor. /6/ The jobs generated by construction activity would create additional Bay Area employment through a multiplier effect. As a result of this effect, about 284 additional person-years of employment would be generated in the Bay Area, with a portion of this secondary employment occurring within San Francisco. /7/

During the project construction period, the currently existing on-site jobs would be eliminated. Because the College will work with the on-site educational workers to locate satisfactory interim space and it is anticipated that upon project completion the educational workers will be located within the proposed project, these workers are not included within this discussion. In addition, there are about 20 retail and commercial workers on site. While the proposed project would effect these jobs, the effect is not considered significant because the number of new on-site employees upon project completion will be greater than the number of workers presently on-site. The proposed project would include retail and restaurant space which will provide similar replacement jobs for retail and restaurant workers. At this time in project design it is not certain which restaurant will be located within the proposed project although the option remains open that the current restaurant facility would be located within the project.

At full operation, it is anticipated that the proposed project would provide about 992 on-site jobs for government, education, retail, restaurant and maintenance workers. These would include about 960 government and education employees (based on one worker per 150 net sq. ft. of governmental and educational space for 144,000 net sq. ft.), 14 restaurant workers (based on one worker per 350 gross sq. ft. for 5,000 gsf), 4 retail workers (based on one worker per 350 gsf for 1,280 gsf), and 14 janitorial/facility workers (based on one worker per 12,000 gsf for the entire building). At this stage in project design it is not known whether the parking facility would utilize parking operators or attendant-serve ticket dispensing and for this reason parking employees are not included within the estimated numbers of project employees. /8/

During the proposed project construction period, the current on-site commercial, restaurant and parking facilities will be eliminated. However, within the project vicinity there are other commercial, restaurant and parking facilities which are available. There is also additional space available within the neighborhood which could be leased by these commercial users.

Other than the jobs generated by construction activities and by new retail and commercial employment, the proposed project would not create direct employment within the City of San Francisco because the governmental office workers would be moving to the project site from other dispersed locations within the City. In some cases, certain government offices would remain at their current location; only those employees creating an overcrowding condition at those offices would be moved to the proposed project.

If the governmental workers relocating to the project site were to vacate their current offices, and if the vacated office space were to be leased to employees new to San Francisco, total employment within the City could increase through the indirect effect of backleasing vacated office space. The actual disposition of the vacant office space is the responsibility of owners of the vacated space and would be outside the control of the College. At this time it is unknown whether the project would indirectly cause vacated office space and if vacated office space were to result, future leasing of this space is both unspecified and uncertain. For this reason, the impacts associated with potential vacated office space are too speculative for evaluation in this EIR.

### Mitigation Measures

No mitigation measures are necessary because the proposed project would not have a significant impact on employment. The current on-site commercial and retail users have occupied the premises with the understanding that they have received all relocation benefits or any in-lieu of benefits which they may be entitled to or with the understanding that the College might construct a new facility on the site. They have been contacted by the College and have knowledge of the College's plans to construct the proposed project. They will receive advance notice to vacate the premises, and, at a minimum, this notice will be the time specified in their agreements with the College.

## HOUSING

### Setting

There were about 320,230 housing units in San Francisco as of January 1984, according to the State Department of Finance. /9/ About two-thirds of the stock is rented and one-third is owner occupied. Housing production in the City (as measured by building permits issued) has been predominantly multi-family units. Between 1978 and 1980, 84 - 87% of residential building permits were for multi-family units and in 1981 that figure increased to 95%.

The nature of the multi-family housing stock (including townhouses, condominiums and apartments) in the City is changing because of conversion of rental units to condominiums and conversion of residential hotels to other uses. Under the Subdivision Code as revised in 1982, the City allows conversion of 200 units of rental housing to condominiums per year. In 1981, about 40 percent of rental units converted to condominiums were estimated to be owner-occupied. It is further estimated that from 1975 to 1980, approximately 3,700 residential hotel units were demolished or converted to commercial or tourist uses.

Housing demand in San Francisco has heightened over the past decade. The number of households incresed by 1.3 percent from 1970 to 1980, despite a 5.6 decrease in total population. This reflects a decrease in the average size of households in San Francisco from 2.34 persons to 2.19 persons, which is a trend typical of many areas during this time. Although the number of housing units in the City increased by 1.9 percent over this period, by 1980 the vacancy rate, which indicates the balance between housing supply and demand, remained low at about 0.6 percent for owner-occupied housing and about 2.7 percent for rental housing.

The average market value of a single-family house in the Bay Area was about $143,400 in 1983; the 1983 average in San Francisco was about $156,600. San Francisco experienced the greatest increase in average market value of all Bay Area cities over the past five years. In 1980 the median contract rent was $267, which in 1983 dollars would amount to more than $375.

The percentage of San Francisco's employed population that lives in the City has decreased from more than 80 percent in 1970 to 75 percent in 1980. This suggests that fewer people who are finding work in the City are also finding housing here. The Department of City Planning projects that as many as 40 percent of office workers would desire to move to San Francisco upon finding work in the City.

The expansion of downtown office space is a source of pressure on San Francisco's housing demand together with the above-noted decrease in household size; increased land, labor, and materials costs; immigration from abroad; high interest rates; and limited land for housing. There are also regional housing impacts. There were just over two million housing units in the nine-county Bay Area in 1980. About one-third of the units are in the East Bay (Alameda and Contra Costa counties), about one-third on the Peninsula (San Mateo and Santa Clara counties, about 16 percent in San Francisco, 10 percent in the North Bay (Marin and Sonoma counties) and 6 percent in Solano and Napa counties.

The limited information available on housing production in Bay Area counties suggests that the markets have been depressed in recent years. Regionally, single-family permits declined in 1979, 1980 and 1981. In Alameda, Contra Costa, San Francisco, San Mateo and Sonoma counties single-family permit issuances rose from 1978 to 1979, but then declined in 1980. Regional multi-family rental unit permits have declined every year between 1977 and 1981. Conversely, condominium permits increased between 1977 and 1980 and decreased in 1981. The housing recovery trend in the Bay Area during the fourth quarter of 1983 showed a gain of 99 percent over the level reported during the fourth quarter of 1982 for total permits issued.

The proposed project is within the North of Market Area. The 1980 U.S. Census of Population and Housing reports about 15,000 housing units in the North of Market area. /10/ Most of these are in large apartment buildings and residential hotels. Over 60 percent are in buildings with more than 50 units. Less than 2 percent of the units were reported to be owner-occupied, compared to 32 percent citywide. The vacancy rate was reported to be 11 percent, which is twice the citywide figure. Over 40 percent of all residential units in the North of Market Area are hotel rooms, and are concentrated in the C-3-G district. (Portions of this district have been rezoned to a residential special use district.) These residential units are small: 87 percent have only 1 or 2 rooms. Households are small in size too, since 70 percent of the units are occupied by only 1 person. According to the 1980 Census, rents in the North of Market Area are considerably lower than the citywide average, even though they are high on a per-room basis. This reflects the fact that the units in the North of Market area are much smaller than those in the rest of the City. This housing is among the lowest priced in the City. /11/

During the period 1975-80, the North of Market area lost a total of 19 hotels representing a loss of 1,087 rooms. /12/ This loss was primarily due to demolition or conversion. However since 1980, about 1,830 units have begun to be restored to safe and habitable conditions. /13/

## Impact

The proposed project would result in the demolition of four existing structures. Two of these structures were used as residential units until 1978. Although the lower floors of these structures are currently used for commercial purposes, the upper floors are unoccupied, uninhabitable and in an unsafe condition for residential use. The proposed project involves no residential relocation. See this EIR, Community Controversy for a discussion of this issue.

Upon project completion and full operation, about 32 restaurant, retail and janitorial/facility workers and 960 educational and governmental workers will be employed at the project site. The retail, restaurant and janitorial/facility workers could create a demand for housing within San Francisco. The governmental workers will be moving to the project site from dispersed locations throughout the City and, therefore, these workers would not create a demand for housing because it is assumed that they will continue to reside in their present locations. The educational employees are presently located on the project site or working within the College and for this reason it is also assumed that they will continue to reside in their present locations.

The proposed project could have an indirect effect on housing in San Francisco if governmental workers moving to the project were to vacate their present offices and if the vacated office space were to be leased to employees new to San Francisco. This housing demand, however, is unspecified and uncertain and impacts associated with it are too speculative for evaluation in this EIR.

### Mitigation Measures

The proposed project would not directly or significantly affect the housing market within San Francisco and no mitigation measures are required.

### Notes

/1/ San Francisco Department of City Planning, Downtown Plan Final Environmental Impact Report, certified October 18, 1984, Page I.C.1.

/2/ Ibid, p. I.C.3.

/3/ Ibid, p. I.C.4.

/4/ Ibid, p. I.C.5.

/5/ Both this paragraph and the one immediately following are taken from the San Francisco Department of City Planning, 100 First Street Draft EIR, February 1, 1985, pp. 56-57.

/6/ An estimated $23,000,000 (hard costs) would be spent during construction. Employment estimate assumes labor costs would be about 30% of the total including direct wages, payroll taxes and fringe benefits at an annual cost of $37,800 per construction worker. Estimate based on information in Embarcadero Center West EIR, December 28, 1984.

/7/ Multiplier is based on that used in the Embarcadero Center West Draft EIR, 83.222E. Construction employment multiplier is 1.55.

/8/ Retail and maintenance employment factors based on data contained in 299 Second Street Draft EIR, 83.311 E, February 8, 1985, p. 134.

/9/ The beginning seven paragraphs in this section are taken from San Francisco Department of City Planning, 299 Second Street Draft EIR, February 8, 1985, pp. 49-51.

/10/ San Francisco Department of City Planning, North of Market Rezoning Study, March 1983, p. 35.

/11/ Ibid.

/12/ San Francisco Department of City Planning, A Study of the Conversion and Demolition of Residential Hotel Units, November 1980, p. 17.

/13/ San Francisco Department of City Planning, North of Market Rezoning Study, March 1983, p. 36.

# IV. GROWTH INDUCEMENT

The proposed project would include about 160,530 gross square feet (gsf) of educational and governmental space, including offices (a net increase of about 150,000 gsf), and about 6,280 gsf of retail and restaurant space (a net decrease of about 10,320 gsf). Employment at the site would increase from about 90 employees including educational, retail and restaurant workers to about 990 employees, an increase of about 900 people. Occupants of the project site are anticipated to include the on-site educational workers plus additional educational and governmental employees. At this time in project design it is not certain which restaurant will be located within the project although the option remains open that the current restaurant facility will be located within the project. It is probable that the governmental agencies locating within the project will relocate to the site from other locations within the City of San Francisco. It is also likely that these governmental workers will not be vacating their current locations, but instead, the project will create expansion space to fill the need created by current conditions of overcrowding. Therefore, the increase in employment at the project site does not necessarily represent employment which is new to San Francisco. However, if the governmental workers relocating to the project site were to vacate their current offices, and if the vacated office space were to be leased by employees new to San Francisco, total employment within the City would increase through the indirect effect of backleasing vacated office space. For a further discussion of this issue, see this EIR, Section III, I, Employment and Housing Factors. To the extent that possible vacated office space would attract new workers and residents to San Francisco, the demand for commercial, social and municipal services would be increased. This demand, however, is expected to occur over the long term, because the City of San Francisco presently has an office vacancy rate of 10.9% /1/

Excavation, demolition and construction activities are expected to occur over a 21-month period and generate about 183 person-years of employment. The jobs generated by construction activity would create additional Bay Area employment through a multiplier effect. As a result of this effect, about 284 additional person-years of employment would be generated in the Bay Area, with a portion of this secondary employment occurring within San Francisco.

Employment growth on the project site, however, would not be reflected directly in increases in damand for housing and City services because the anticipated project employees are already employed or living within San Francisco.

Any net increase in employment within the downtown area would increase the demand for retail goods and services in the area. The project would increase this demand by increasing the numbers of employees on site. However, a restaurant and retail facility would be included as a part of the proposed project and would help to offset the increased damand for retail goods and services.

**Notes**

/1/ Coldwell Banker Survey, "Office Building Real Estate," March 31, 1985.

# V. RELATIONSHIP BETWEEN EXISTING PLANS AND POLICIES AND THE PROPOSED PROJECT

This section discusses the relationship between the proposed project and existing plans and land use controls for the project area. The controlling plan for the State of California is the Facilities Plan and the controlling plan for the City of San Francisco is the Downtown Plan. Although both the owner and probable primary user of the proposed project are not subject to local regulations, this section is included within this EIR for purposes of determining potential significant environmental impacts.

## A. STATE OF CALIFORNIA
## SAN FRANCISCO FACILITIES PLAN

One of the objectives of the Facilities Plan is to consolidate State agencies which are not directly involved in neighborhood services in a central location within San Francisco.

Through consolidation of governmental agencies within the Civic Center area, the proposed project will increase economic, energy and space efficiencies and will promote greater employee use of carpools, vanpools and transit.

## B. CITY AND COUNTY OF SAN FRANCISCO
## DOWNTOWN PLAN
## OCTOBER 17, 1985

The relationship of the proposed project to major controls in the Downtown Plan is summarized in Table 15, on the following page.

## TABLE 15. COMPARISON OF PROPOSED PROJECT WITH THE DOWNTOWN PLAN

| Major Controls | Proposed Project | Downtown Plan |
|---|---|---|
| Height Limit | 80-feet | 80-feet |
| FAR (Section 124) | 5.6:1 | 6:1 |
| Recreation/Open Space (Section 138) | 4,100 sq. ft. on project site; 13,000 sq. ft. including on-site open space, sculpture garden adjacent to College law Library and plaza extension from Golden Gate Avenue to McAllister Street. Additional open-space buffer comprising about 3,100 square feet to be built on site's southern perimeter. | No open-space required for institutional uses. For office use in C-3-G District, 1 sq. ft. open space /50 sq. ft. of gross floor area. |
| Sunlight Access to Public Sidewalks in C-3 District. (Section 146) | Project created shadow impacts would be greatest on sidewalks immediately adjacent to the project on Golden Gate Ave. Shade impacts, however, would vary with the time of day and season. See this EIR, Shadow. | Requires new buildings to be shaped, without unduly restricting development potential, to reduce substantial shadow impacts on public sidewalks. |
| Reduction of Shadows on Public Open Spaces in C-3 Districts. (Section 147) | During winter months in morning hours, about 2% of the plaza in front of Federal Building on Golden Gate Avenue will be shaded. By noon, all shade will be eliminated. At no time would the project cast shade on the Civic Center Plaza or the United Nations Plaza. | Requires new buildings to be shaped, without unduly restricting development potential, to reduce substantial shadow impacts on public open space. |

| Major Controls | Proposed Project | Downtown Plan |
|---|---|---|
| Wind (Section 148) | The project will not cause ground level wind speeds in excess of 11 m.p.h. in areas of substantial pedestrian use and 7 m.p.h. in public seating areas. | New developments will not cause ground level wind speeds in excess of 11 m.p.h. in areas of substantial pedestrian use and 7 m.p.h. in public seating areas. |
| Incorporation of Art (Section 149) | The College has a vast supply of works of art and will display various pieces within the project. | Requires works of art costing an amount equal to one percent of construction cost. |
| Off-Street Loading (Section 152.5) | Two off-street loading spaces provided by project. | 0.1 space per 10,000 sq. ft. of gross floor area. |
| Off-Street Parking Fee Structure. (Section 155 (g)) | The project parking facility, although primarily intended for use by the College and project employees, will allow short-term parking to the extent possible. | Off-street parking shall maintain a fee structure which includes short-term parking. |
| On-Site Transportation Brokerage Services. (Section 163) | The State of California will initiate a transportation system management program. | Project sponsor required to provide on-site transportation brokerage services for actual lifetime of project. |
| Child-Care Brokerage Services. (Section 165) | The College currently provides child care services through contract with a nearby facility located two blocks from the project site. | Project sponsor required to provide on-site child care brokerage services for actual lifetime of project. |

## C. UNIVERSITY OF CALIFORNIA HASTINGS COLLEGE OF THE LAW LONG RANGE DEVELOPMENT PLAN

In January of 1977, the College had a long range development plan which envisioned the construction of the Hastings Law Center. One phase of this plan, the construction of the College Academic/Library Facility, was completed. The other phases of the plan were expressly or by implication abandoned. The proposed project as described in this Draft EIR supersedes all prior College plans for the development of the project site.

Other than the proposed project as described in this Draft EIR, the College has no present plans to acquire additional property or engage in major construction on the property it now owns.

# VI. SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

This chapter is subject to final determination by the University of California, Hastings College of the Law as part of the certification process. If necessary, this chapter will be revised in the Final EIR to reflect findings of the College.

All project-specific impacts that have been identified in this Draft EIR have been mitigated to an insignificant level. Mitigation measures included as part of this project are described in Section II, Environmental Setting, Impacts & Mitigation Measures, and in the Initial Study, attached as Appendix A to this EIR.

Cumulative development in Downtown San Francisco would have a significant effect on the environment insofar as it would generate cumulative traffic increases and passenger loadings on Muni, BART, and other regional transit carriers. These cumulative transportation impacts would cause violations to total suspended particulate and localized carbon monoxide standards in San Francisco. The proposed project would contribute to cumulative impacts.

# VII. RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT AND LONG-TERM PRODUCTIVITY

The proposed project would contribute to cumulative development within San Francisco. By replacing the four structures currently located on the project site, the proposed project would alter the general character of the block.

The project site, along with surrounding areas, presently supports a variety of land uses including educational and governmental functions and commercial and residential uses. The proposed project would be compatible with educational and governmental functions, but would irretrievably commit the project site to land use other than residential.

If the project site were reserved for future, alternative use, the existing on-site structures would remain; however, it is improbable that the former residential hotels would be renovated because it is economically prohibitive to do so and would preclude efficient use of scarce land resources. Demolition of the on-site structures and construction of a project at a future date would involve increased costs and would result in the project site remaining in an underdeveloped state.

Long-term productivity within the project vicinity would be increased through the development of the proposed project. Through the consolidation of governmental agencies within the Civic Center area, economic, energy and space efficiencies would be increased and greater employee use of carpools, vanpools and transit would occur.

# VIII. COMMUNITY CONTROVERSY

Community controversy exists concerning the proposed construction of the Golden Gate Building. Areas of controversy are discussed in this section of the EIR. Community controversy centers around the use of the project site for governmental and educational instead of residential use, College objectives to be served by the proposed project, College long-range development plans, alternatives to the proposed project and possible environmental impacts associated with the project. However, where issues are analyzed in other portions of the EIR the discussion of those issues will not be duplicated here.

## HOUSING

In the early 1970's UC Hastings experienced severe conditions of overcrowding. More space was needed for the students, faculty and library. The College was able to purchase several buildings on the block bounded by Hyde, Golden Gate, Larkin and McAllister Streets. The buildings were either empty or used for commercial or residential purposes.

In January of 1977, at the time of completion of the Draft EIR for the Proposed Hastings Law Center, the College had a proposed long range development plan. This plan envisioned the construction of the Academic/Library Facility, a Legal Affairs Facility and a Plaza. However, the plan as originally contemplated was altered in July 1977 at the time of completion of the Final EIR for the proposed Hastings Law Center. Specifically, construction of the Plaza had been abandoned partly due to impacts associated with the extensive relocation of the residents living on the north side of McAllister street. The Final EIR for the Proposed Hastings Law Center stated that the Law Center would be constructed in two stages, the first stage consisting of the construction of the Academic/Library Facility, and the second stage being the construction of the Legal Affairs Facility. A supplement to that EIR was to be prepared when final plans were developed for the Legal Affairs Facility. Although the College hoped to construct a Legal Affairs Facility it was not committed to a specific course of action concerning the construction and use of the proposed facility.

In 1979 UC Hastings abandoned its plan to build a Legal Affairs Facility due to financial constraints. However, prior to the abandonment of this plan the College wanted to empty the residential hotels situated on lots 12 and 14 because the hotels were unsafe, and in a condition of disrepair. Additionally, the properties were unsuited for residential use because they were constructed with unreinforced brick masonry and might not withstand an earthquake.

The College renovated the structures located at 270 and 260 McAllister Street and provided residential units to be offered to tenants of the residential hotels located on lots 12 and 14. Because the structure situated at 270 McAllister Street was empty when the College purchased it, the College provided an additional 80 housing units through the renovation of this structure. Furthermore, the College provided 10 additional housing units at 260 McAllister Street. Thus, a total of 90 new units were added to the housing market to replace the 85 unsafe units lost from lots 12 and 14.

One of the mitigation measures adopted by UC Hastings in its Final EIR dated July 1977 was the provision of comparable dwellings to replace each dwelling demolished in the construction of the proposed Legal Affairs Facility. A second mitigation measure was to provide relocation assistance to the tenants eligible for such assistance. The College has met both of these mitigation measures through the provision of 90 housing units and the offer to eligible tenants of lifetime rent supplements, moving expenses and other benefits.

The movement of persons from lots 12 and 14 is the subject of current litigation, McKeon, et. al. v. Hastings College of the Law. A judgment was issued in this case against the College by the Superior Court of the City and County of San Francisco on July 2, 1982. Although the College removed 85 uninhabitable units from the market while providing 90 additional residential units, the trial court judgment stated that the College must provide an additional 375 units of comparable replacement housing. This judgment did not require the College to provide these units on any specific site. However, the judgment is currently on appeal and at such time as the appellate process is completed the College will abide by the decision. At no time, however, was the College required to provide housing units on the site of the proposed Golden Gate Building.

On March 28, 1985, the Board of Supervisors of the City of San Francisco established boundaries to create the North of Market Residential Special Use District. The purpose of the rezoning of the North of Market District was to protect and enhance housing resources and to conserve and upgrade existing housing stock. However, the site of the proposed project was specifically omitted from this classification and remains zoned C-3-G (Downtown General Commercial), while the residential units located on the northern side of McAllister Street on the project site's southern perimeter were rezoned as a North of Market Residential Special Use District.

In any event, the College examined the feasibility of rebuilding the structures on Lots 12 and 14 to provide housing on the project site. This possibility was rejected because it was economically prohibitive and would not carry out the objectives of this proposed project.

# IX. ALTERNATIVES TO THE PROPOSED PROJECT

## A. ALTERNATIVE A: NO PROJECT

### Description of Alternative

This alternative would involve no change to the project site as it currently exists. Four structures and a two-level parking lot would remain presumably with the same land use and in the same condition. Future options for development of the project site would remain open with this alternative.

### Distinctive Environmental Characteristics of Alternative

With retention of the project site in its currently existing condition, the environmental characteristics of this alternative would be similar to those described in the Environmental Setting sections of this EIR. Construction noise impacts would not occur nor would the demolition of the on-site structures. Transportation, transit and air quality characteristics would remain unchanged for the project site. Likewise, shadows, winds and site views would remain unchanged. Demand for energy would remain equal to that of the existing site. Employment would not increase at the project site and there would be no increased demand for commercial services such as retail and restaurant facilities. Three structures rated "D" and one structure rated "C" by the Foundation for San Francisco's Architectural Heritage would remain in place. Revenues from, and costs of, development of the site would not occur. An open-space plaza would not be built.

### Reasons for Rejection of Alternative

The College has rejected this alternative because needed space for educational functions would not be built. Additionally, the most efficient land use of the project site considering its location adjacent to the College Law Library and close proximity to other governmental agencies and the Civic Center area would not be achieved without developing the site.

## B. ALTERNATIVE B: SIX-STORY STRUCTURE/NO PLAZA

### Description of Alternative

A six-story structure extending to all lot lines would be developed on Lots 10, 11, 12, 13, 14 and 15 of Assessor's Block 347, bounded by Hyde, Golden Gate, Larkin and McAllister Streets. An open space plaza on the site's eastern perimeter and an additional open space buffer area separating the proposed structure from the residential units on the southern edge of the site would not be built. This alternative would include a two-level below ground parking facility and a restaurant and conference room on the ground level. Upper floors of the structure would be used for educational and governmental space, including offices. As with the proposed project, this alternative would require the demolition of the currently existing on-site structures and the parking facility. Total building area for this alternative would be about 281,000 square feet, as described below:

| | | |
|---|---|---|
| Educational and Governmental Space | -- | 208,000 gsf |
| Restaurant and Retail | -- | 6,300 gsf |
| Parking | -- | 67,030 gsf |

### Distinctive Environmental Characteristics of Alternative

Archaeological, historical and construction noise impacts associated with this alternative would be the same as the proposed project. Energy demand would be increased due to the increased size of the structure and the corresponding increase in number of on-site employees. Transportation, circulation, parking and air quality impacts would be proportionately greater than those of the proposed project because this alternative would have increased office space of about 23%. For the same reason, there would be a corresponding increase in demand for retail and restaurant services in the project area. Because this alternative would fill all lot lines to their maximum dimensions, shadow impacts would be slightly greater than that of the proposed project. With this alternative, wind speeds would range from 4.8 to 11.7 miles per hour.

### Reasons for Rejection of Alternative

The College has rejected this alternative because an open space plaza on the eastern lot line and an additional open space buffer separating the project from the residential units on the site's southern perimeter would not be built. The College has determined that an open space buffer on the southern perimeter is necessary in order to minimize impacts associated with the increased intensity of the land use on the project site. In addition, the open space plaza between the project and the College Law Library would benefit project occupants and the surrounding area.

## C. ALTERNATIVE C: TEN-STORY STRUCTURE NO STEP-BACKS ON UPPER TWO LEVELS

### Description of Alternative

A ten-story building, 130-feet in height would be developed on Lots 10, 11, 12, 13, 14 and 15 of Assessor's Block 347. The structure would extend to northern and western lot lines. An open space plaza would be located on the eastern and southern perimeters. The plaza would be slightly elevated above Golden Gate Avenue and would comprise about 15,000 square feet. The plaza would extend 64 feet from the building to the College's sculpture garden adjacent to the College Law Library; additionally, the open space buffer located on the southern perimeter would be 27.5 feet in width. This alternative would include a two-level below ground parking facility and would include a restaurant, retail space and conference room on the ground level. Upper floors of the building would be used for educational and governmental space, including offices. This alternative would require the demolition of the currently existing on-site structures and the parking lot. Total building area for this alternative would be about 280,000 square feet, as described below:

| | | |
|---|---|---|
| Educational and governmental space | -- | 205,000 sq. ft. |
| Restaurant and Retail | -- | 6,300 sq. ft. |
| Parking | -- | 67,030 sq. ft. |

### Distinctive Environmental Characteristics of Alternative

Archaeological, historical and construction noise impacts associated with this alternative would be similar to those of the proposed project. Energy demand would be greater than that of the proposed project due to increase in size of the structure and the corresponding increase in number of on-site employees. For the same reason, transportation, circulation, parking and air quality impacts would be proportionately greater than those of the proposed project. Additionally, there would be a corresponding increase in demand for retail and restaurant services within the project area. With this alternative, wind speeds would range from 4.8 to 13.7 miles per hour. Shadow impacts would be increased on Golden Gate Avenue throughout the fall, winter and spring months.

### Reasons for Rejection of Alternative

The College has rejected this alternative because the predicted wind speed at the northeast corner of the intersection of Golden Gate Avenue and Larkin Street would reach 13.7 miles per hour.

## D. ALTERNATIVE D: 10-STORY STRUCTURE WITH STEP-BACKS ON UPPER TWO LEVELS

### Description of Alternative

This alternative consists of a 10-story structure, 130-feet in height. The building would extend to northern and western lot lines and an open space plaza would be located on the site's eastern and southern perimeters. The plaza would extend 64 feet from the building to the College Law Library on the east and would extend 27.5 feet to the residential units on the south. Total square footage for this plaza area would be about 15,000 square feet. This alternative would include a two-level parking facility below ground and would include a restaurant, retail space and conference room on the first level. Upper floors of the building would be used for educational and governmental purposes, including office space. As with other alternative projects, demolition of the currently existing on-site structures and the parking lot would be required.

The upper two floors of this alternative would include step-backs and roof terraces, shaping the building at the top.

Total building area for this alternative would be about 264,000 square feet, as described below:

| | | |
|---|---|---|
| Education and governmental space | -- | 191,000 sq. ft. |
| Restaurant and Retail | -- | 6,300 sq. ft. |
| Parking | -- | 67,030 sq. ft. |

### Distinctive Environmental Characteristics of Alternative

Archaeological, historical and construction noise impacts would be similar to the impacts of the proposed project. Energy demand would be greater than that of the proposed project due to the increased size of the building and the corresponding increase in anticipated numbers of on-site employees. Likewise, transportation, circulation, parking and air quality impacts would be proportionately greater than those of the proposed project. An increased demand for retail and restaurant services within the project vicinity would also be expected.

Wind impacts would be decreased with this alternative as compared to Alternative C, described above. Specifically, the highest wind speed for the 15 analyzed locations within the project vicinity occurs at the northeast corner of the intersection of Larkin Street and Golden Gate Avenue. Through the creation of step-backs and roof terraces on floors 9 and 10 of this alternative, wind speed at the northeast corner of Larkin and Golden Gate was reduced from 13.7 mph to 11.8 mph.

Shadow impacts associated with this alternative have also been analyzed. This structure would not cast shade on any property under the jurisdiction of the Recreation and Park Commission. It would, however, increase morning shadow on the intersection of Golden Gate Avenue and Larkin Street from the months of September through March. During the fall, winter and spring months this alternative would cast shade on portions of the sidewalk area on Golden Gate Avenue. Throughout the summer months, this alternative would not cast shade on sidewalk areas on the northern side of Golden Gate Avenue across from the project site. At no time of the year would this alternative cast new shadows on the residential structures situated on the site's southern perimeter.

### Reasons for Rejection of Alternative

This alternative exceeds the City's height limitations for the project site by 50 feet. Other potential significant impacts associated with this alternative would be reduced to an insignificant level through mitigation measures incorporated as a part of the project design. Both the plaza adjacent to the eastern perimeter of the site as well as the additional buffer area separating the project from the residential units to the south are larger than the open space areas in the proposed project. The College still considers Alternative D to be its preferred project. However, in a spirit of cooperation with the City of San Francisco, this alternative was rejected in favor of the proposed project.

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# XII. APPENDICES

## APPENDICES

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APPENDIX A

## INITIAL STUDY

Project Title: Golden Gate Building

Project Number: 85021912

Date: January 6, 1986

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This statement is prepared in compliance with the California Environmental Quality Act.

# INITIAL STUDY
# GOLDEN GATE BUILDING

University of California
Hastings College of the Law

PROJECT TITLE: Golden Gate Building

PROJECT LOCATION: Southeast corner of Golden Gate Avenue and Larkin Street in San Francisco Civic Center. USGS San Francisco north quadrangle map.

PROJECT NUMBER: State Clearinghouse Number 85021912

PROJECT DESCRIPTION: The University of California, Hastings College of the Law proposes to construct a 6-story, 80 foot building for educational and governmental use, including office space at the southeast corner of the intersection of Golden Gate Avenue and Larkin Street in San Francisco.

The project site is in the C-3-G (Downtown General Commercial) Use District. The height and bulk classification is 80-X, with a locally allowed height of 80-feet and no bulk limitations. The project site permits a FAR of 6:1 equivalent to 226,875 gross square feet of development for the 37,812 square foot site. As calculated under the San Francisco Downtown Plan, the proposed project would contain about 211,660 gross square feet of floor area. This would result in a Floor Area Ratio (FAR) of approximately 5.6:1 for the 37,812.5 square foot development site. The total office floor area gross, including educational offices, will be about 160,530 square feet.

On the ground floor level, the proposed project will contain educational, retail and restaurant space as well as a conference/meeting room. A porch located on the project's eastern perimeter will open on to an open space plaza to be built in conjunction with the proposed project. This plaza will connect with the sculpture garden adjacent to the College Library and will extend the full distance from Golden Gate Avenue to McAllister Street. The plaza area on the project site would comprise about 4,100 square feet. However, the entire plaza area including the garden currently existing adjacent to the College Law Library and the plaza extension to McAllister Street would be about 13,000 square feet. Additionally, the building will be set back about 12.5 feet from the southern lot line in order to provide an open space buffer separating the project from the residential units located on the site's southern perimeter. The project would include a 160-space parking facility located on two levels below grade.

PROJECT OBJECTIVES: It is the objective of the University of California, Hastings College of the Law to provide needed space for educational functions while at the same time utilizing College owned property situated in a prime location adjacent to the San Francisco Civic Center to further State and local governmental goals in consolidating various governmental agencies within the Civic Center area. Through leasing space in the proposed project to various governmental agencies, the College would be able to provide additional needed space for educational functions and derive revenues for the College.

SITE DESCRIPTION: The project site is 37,812.5 square feet and encompasses Lots 10, 11, 12, 13, 14 and 15 of Assessor's Block 347, bounded by Hyde, Golden Gate, Larkin and McAllister Streets. The projects site is within the C-3-G (Downtown-General-Commercial) Use District. Four structures ranging in height from one to three stories and a 176-space two level parking lot currently occupy the project site. Current on-site land uses include restaurant, retail and educational. All of the on-site structures and the parking lot would be demolished for the project.

ENVIRONMENTAL SETTING: The surrounding area supports a variety of land uses including office, institutional, retail and residential. The project site is adjacent to the core San Francisco Civic Center area. Current land use within this area is predominantly governmental and includes City, State and Federal office buildings. The project site also borders the Tenderloin district, a low-income neighborhood containing commercial activities and a supply of low cost housing units.

On February 20, 1985 a Notice of Preparation was sent to various State and local governmental agencies. The project as originally contemplated and described in this Notice of Preparation called for the construction of a 10-story, 130-foot structure. However, during the CEQA process the College decided to change the height of the proposed project to 80-feet. Therefore, both the Initial Study and the EIR analyze the effects associated with the 80-foot, 6-story project.

## I. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

### A. PURPOSE OF THIS INITIAL STUDY

The proposed project is examined in this Initial Study in order to assist in the preparation of the EIR by:

-a- focusing the EIR on the effects determined to be potentially significant;

-b- identifying the effects determined not to be potentially significant; and

-c- explaining the reasons for determining that potentially significant effects would not be significant.

### B. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

Some potential environmental effects have been determined to be potentially significant, and therefore require analysis in an EIR. They include: relationship between existing plans and policies and the proposed project; relationship between the proposed project to, and its effect on, land uses in the project's vicinity; visual quality and views affected by the proposed project; wind and shadow; archaeological and historical resources; transportation and traffic circulation; air quality; construction noise; energy, employment and housing factors; community concerns and possible growth-inducing effects.

### C. EFFECTS FOUND NOT TO BE SIGNIFICANT

The following potential environmental impacts were determined to be insignificant, or would be reduced to an insignificant level through the use of mitigation measures included within the proposed project. These items require no further environmental analysis and will not be addressed in the EIR.

Excavation and Foundation: A complete geotechnical study will be prepared for the proposed project and the College will follow recommendations of the study.

Water: The proposed project would use about 6,600 gallons of water per day. Measures to mitigate potential impacts associated with excavation and dewatering would be included in the project.

Biology: The project site is completed covered by development. The project would not affect any plant or animal species or habitat.

Noise: Upon project completion, building operation would not result in noise levels greater than those presently existing in the area. Operational noise would be compatible with the San Francisco Noise Ordinance contained in the San Francisco Planning Code, section 2909, which limits mechanical equipment noise at the property line in a C-3-G zone to 70 dBA between 7:00 a.m.and 10:00 p.m.

Reflected Light/Glare: Although the project would create a new source of night lighting, prudent building design will lessen glare. Automatic timers will be installed which allow 12-hour operation and automatic turn-off. The project would use lighting designed to avoid glare and would not use reflective glass.

Hazards: An evacuation and emergency reponse plan would be developed as part of the proposed project, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between the City's emergency planning activities and the project's plan. Prior to the demolition of the on-site structures, a study will be conducted to determine whether toxic materials such as asbestos are present. If toxics are found, demolition would occur only under strict control and after appropriate disposal sites are identified. To mitigate potential seismic and earthquake hazards, the project would be designed to resist lateral loads induced by ground shaking as provided in the current Uniform Building Code or other accepted design methods.

Public Services: The increased demand for public services attributable to the proposed project would not require additional personnel or equipment. The proposed project would be inspected by representatives of the State Fire Marshall and would not affect local building inspectors. The State Police would respond to all incidents that occur on the project site or involve State property and would make provisions to secure the building during and after operational hours.

Utilities: The proposed project would generate demand for about 6,600 gallons of water per day during the summer months and about 5,900 gallons per day during the winter months. The San Francisco Water Department would be able to meet project generated demands. The existing sewer mains are adequate to handle wastewater flows from the project. Pacific Bell would provide phone service to the project and anticipates no problem in meeting the demands of the proposed project.

Solid Waste: Upon completion of the proposed project it is estimated that approximately 0.7 tons of solid waste would be generated per day. Approximately one-third of this amount would be recyclable white ledger paper. A recycling program will be implemented upon project completion.

Recreation: The project would increase daytime demand on parks and plaza areas within the site's vicinity. An open-space plaza will be built in conjunction with the project.

## II. ENVIRONMENTAL EVALUATION CHECKLIST

| | Yes | Maybe | No |
|---|---|---|---|
| A. Earth. Could the project cause: | | | |
| 1. Unstable earth conditions or changes in geologic substructures? | | | X |
| 2. Disruptions, displacements, compaction or overcovering of the soil? | X | | |
| 3. Changes in topography or ground surface relief features? | X | | |
| 4. Destruction, covering or modification of any unique geologic or physical features? | | | X |
| 5. Any increase in wind or water erosion of soils either on or off the site? | | | X |
| 6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of an ocean or any bay, inlet or lake? | | | X |
| 7. Exposure of people or property to major geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards? | | | X |

Subsurface development would include excavation for subsurface parking, foundation preparation, and utility connections. There would be two levels of below grade parking with approximately 80 parking stalls on each level. Excavation would extend about 25 feet below grade. Existing basements extend 11.35 feet below grade. New excavation would extend about 13.65 feet beyond existing basements. Excavation would result in the removal of 19,116 cubic yards of earth that would be disposed of in appropriate locations.

There would be a slight elevation change to the site. The site now slopes about 6 feet from Golden Gate Avenue to the rear of the site. The proposed project would require the site to be level.

A preliminary soil investigation of the project site indicated that subsurface conditions are expected to consist of dune sands underlain by dense clayey sand or stiff sandy clay, with bedrock at about 150 to 200 feet below surface. /1/ The presence of loose to medium dense dune sand would influence selection of a suitable foundation. During a strong earthquake, sand tends to densify (or liquify) and could settle irregularly. A suitable foundation could consist of either driven, precast, prestressed concrete piles with the basement slab supported on grade or a mat or rigid grid foundation. Unless soil borings reveal dense soil at foundation subgrade level, isolated spread footing foundations would be inappropriate, as this foundation type would be susceptible to abrupt differential settlement. Drilled, cast-in-place concrete piers are a possible foundation type; however, they would probably require dewatering and casing to prevent caving of the sandy soil. Mitigations for dewatering are in Section 3, of this Initial Study.

Where basement or foundation excavations extend below the basement levels of adjacent buildings and those structures are not pile supported, underpinning will be required. Shoring will be required to laterally retain the loose sands under adjacent basement floors, sidewalks, and street areas. If driven piles are used, vibrations induced by pile driving may cause densification of existing loose fill materials. Structures and streets supported on this fill could settle. Vibrations, and hence settlement, could be reduced by pre-drilling pile locations. Settlement of adjacent structures and streets would be monitored during construction. A preconstruction survey of the conditions of nearby buildings will be the basis for determining whether the potential for damage exists during construction and will identify the necessary mitigation measures.

Potential excavation and foundation impacts will not be addressed in the EIR because a complete geotechnical study will be prepared for the project; the project sponsor will follow recommendations of the study, bringing potential impacts to an acceptable level.

Groundshaking is expected to be strong on the site during a major earthquake on the San Andreas, Hayward, or Calaveras faults. /2/ The San Andreas Fault, about seven miles southwest of the project, presents the greatest earthquake threat. During the 1906 earthquake along the San Andreas Fault, strong groundshaking was documented near the site. The recurrence interval for an earthquake on the San Andreas

Fault with a magnitude of 8.3 ranges from 100 to 1,000 years. /3/ The project site is not in a special Geologic Study Area as designated in the Community Safety Element of the San Francisco Comprehensive Plan. /4/

Potential earthquake related impacts include liquefaction and densification. Flooding by tsumamis and seiches is not a potential hazard since the predicted 100-year and 500-year innundation levels would not reach the elevation of the site. To mitigate potential seismic hazards, the project would be designed to resist lateral loads induced by ground shaking, as provided in the current Uniform Building Code or other accepted design methods. The project would replace buildings on the site built prior to current seismic code standards, and therefore generally more susceptible to earthquake damage. An evacuation and emergency response plan would be developed by the project sponsor or building management staff, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between San Francisco's emergency planning activities and the project's plan and to provide for building occupants in the event of an emergency. Potential earthquake related impacts will not be discussed in the EIR due to the above mitigation measures.

B. Air Quality. Could the project cause?

| | Yes | Maybe | No |
|---|---|---|---|
| 1. Substantial air emissions or deterioration of ambient air quality? | | X | |
| 2. Creation of objectionable odors? | | | X |
| 3. Alteration of air movement, moisture, temperature or any change in climate, either locally or regionally | | X | |

AIR QUALITY

Construction activities would generate pollutants in the project vicinity. Construction trucks and equipment would emit carbon monoxide (CO), hydrocarbons (HC), nitrogen oxides (NOx), sulfur dioxides (SOx)and particulates (TSP). These emissions would temporarily increase local pollutant concentrations, but would not be likely to cause violations of air quality standards. Demolition and earth moving would generate dust (TSP). The project sponsor would require the contractor to take measures to reduce dust generation. Specifically, the contractor would water demolition and construction areas twice daily, suppressing dust emissions by about 50%.

After construction, project-generated traffic would result in additional air quality impacts. Calculations indicate that project-related traffic could generate the following emissions in 1990:

CO -- 0.21 tons per day
HC -- 0.02 tons per day
NOx -- 0.01 tons per day

Project-related traffic would account for about 0.4% of the anticipated 1990 CO emissions generated in the C-3 Downtown Plan area and would account for approximately 0.2-0.4% of the total daily emission of hydrocarbons and nitrogen oxides.

Even with the proposed project and other new development, total CO, HC, and NOx emissions in the C-3 district of San Francisco would be less in 1990 and 2000 than in 1984 because new vehicles have improved emission controls. These controls would more than offset the increased number of emission sources from new development.

Similarly, CO concentrations at selected intersections near the proposed project are anticipated to be less in 1990 and 2000 than in 1984. The projected CO concentrations would not violate either the one-hour or the eight-hour standard.

The proposed project would not conflict with the 1982 Bay Area Air Quality Plan strategies to reduce pollution.

Air quality impacts from the project as well as cumulative development traffic in the project area will be discussed in the EIR.

## WIND

Existing buildings in the project area may shield much of the lower portion of the proposed project from wind. As a result, the project would have a reduced potential for creating adverse wind effects. The State Building at 455 Golden Gate Avenue will shield the windward west side of the project, reducing the probability of significant down draft. Wind turbulence from the 20-story Federal Building at 450 Golden Gate Avenue will be more dominant than wind effects from the proposed project. The project may create a minor increase in wind at the corner of Larkin Street and Golden Gate Avenue. During windy periods, wind flowing around the southwest corner of the building may cause localized wind discomfort on the Larkin Street sidewalk outside the entrance to the below grade parking lot. The Civic Center Plaza and the Federal Building Plaza are upwind of the project site and would not be affected by the proposed project.

A complete wind tunnel analysis by a certified consulting meteorologist will be prepared for the EIR. The findings of this analysis will be discussed within the EIR.

## SHADOW

Existing structures on the project site range from one to three stories in height. These structures cast shadows on Golden Gate Avenue and adjacent sidewalks. The project would increase shadows on sidewalks and structures near the site during the fall, winter and spring months. These effects will be discussed in the EIR and the analysis will include shadow diagrams.

|  | Yes | Maybe | No |
|---|---|---|---|
| C. Water. Could the project cause? |  |  |  |
| 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters? |  |  | X |
| 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? |  | X |  |
| 3. Alterations to the course or flow of flood waters? |  |  | X |
| 4. Change in the amount of surface water in any water body? |  |  | X |
| 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? |  |  | X |
| 6. Alteration of the direction or rate of flow of ground waters? |  | X |  |
| 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? |  | X |  |
| 8. Substantial reduction in the amount of water otherwise available for public water supplies? |  |  | X |
| 9. Exposure of people or property to water related hazards such as flooding or tidal waves? |  |  | X |

There is no surface water at the project site. The site is now impervious, covered by strucutres and an asphalt parking lot. Runoff currently drains into the combined City storm and sewer system. This drainage would continue. The distribution of runoff could be altered. Because rain usually falls at an angle, runoff that would have fallen in an area beyond the project site would be blocked by the project and fall on the project site. As a result, the building will probably be responsible for a higher degree of on-site runoff, while areas blocked by the building may receive less runoff. This would not be a significant effect because drainage into the city storm and sewer system would continue and the storm drains have the capacity to handle the flow. In addition, the time of peak runoff concentration from the project could be slower than presently occurs due to the greater roof area of the proposed building. The present roof area of the existing four on-site structures is approximately 16,000 square feet, while the roof area of the project will be approximately twice this amount. Rainfall drains slower from a roof than it does from the ground. Therefore, even if the proposed project would result in greater runoff on site, this runoff would drain more slowly into the storm drains. This issue will not be discussed in the EIR.

Groundwater is found at approximately 20 feet in this area. /5/ Since the proposed project would include subterranean development, dewatering may be necessary. If drilled, cast-in-place concrete piers are used for foundations, dewatering probably would be necessary. /6/ Dewatering may affect groundwater flows and water quality and also could contribute to ground subsidence near the site. Should dewatering be necessary, the project would include the following mitigation measures:

-- The level of the water table and potential settlement and subsidence would be monitored by the general contractor. A lateral and settlement survey would be conducted to monitor any movement or settlement of surrounding buildings and adjacent streets during the dewatering process. Control lines and benchmarks would be established for monitoring horizontal and vertical movement.

--- If unacceptable subsidence were to occur during construction, groundwater recharge would be used to halt the settlement.

--- Groundwater pumped from the site would be retained in a holding tank to allow suspended particles to settle, if necessary, to prevent sediment from entering the storm drain/sewer lines.

These mitigation measures would reduce potential impacts to an insignificant level; therefore, this issue will not be discussed in the EIR.

Drinking water for San Francisco is imported, primarily from Hetch Hetchy Reservoir in the Sierra Nevada. The San Francisco Water Department owns and operates the water delivery system. This department has indicated it has sufficient water to provide the required 6,600 gpd (summer months) required for the project and also has indicated that the existing 16-inch main on the east side of Larkin Street and the 6-inch main on the north side of Golden Gate Avenue will be adequate to serve the project. /7/ This issue will not be discussed in the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| D. Plant Life. Could the project cause? | | | |
| 1. A change in the diversity of species, or the numbers of any species of plants? | | | X |
| 2. A reduction of the numbers of any unique, rare or endangered species of plants? | | | X |
| 3. The introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | | | X |
| 4. A reduction in acreage of any agricultural crop? | | | X |

The project site is completely covered by development. The project would not affect any plant species or habitat. This issue will not be discussed in the EIR.

E. Animal Life. Could the project cause?

| | Yes | Maybe | No |
|---|---|---|---|
| 1. A change in the diversity of species, or numbers of any species of animals? | | | X |
| 2. A reduction of the numbers of any unique, rare or endangered species of animals? | | | X |
| 3. Introduction of new species of animals into an area or result in a barrier to the migration or movement of animals? | | | X |
| 4. Deterioration to existing fish or wildlife habitat? | | | X |

The project site is completely covered by development. The project would not affect any animal species or habitat. This issue will not be discussed in the EIR.

F. Noise. Could the project cause?

| | Yes | Maybe | No |
|---|---|---|---|
| 1. Increases in existing noise levels? | | X | |
| 2. Exposure of people to severe noise levels? | | X | |

## PROJECT CONSTRUCTION

During the demolition, excavation and construction periods, increased noise levels can be expected in the surrounding area. Construction noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and listener, and presence of barriers between the noise source and listener. The noise levels of construction equipment other than impact will not exceed 80 dBA at 100 feet. Impact tools must have both intake and exhaust muffled. Additionally, the general contractor would construct barriers around the site and stationary equipment such as compressors to reduce construction noise by as much as 5 dBA. The general contractor would, to the extent possible, locate stationary equipment in pit areas or excavated areas to serve as noise barriers. Construction activities would be limited to the hours between 7:00 a.m. and 8:00 p.m. to reduce disturbance to nearby sensitive receptors. Construction noise will be addressed in the EIR.

PROJECT OPERATION

The noise environment of the site is dominated by vehicular traffic which is typical of downtown San Francisco and the Civic Center area. According to the Downtown Plan EIR, the area has a wide range of traffic noise levels ranging from 65 to 75 dBA.

The Environmental Protection Element of the San Francisco Comprehensive Plan indicates a day/night average noise level (Ldn) of 70 dBA on Golden Gate Avenue and an Ldn of 65 dBA on Larkin Street adjacent to the site in 1974. /8/ The Environmental Protection Element contains guidelines for determining the compatibility of various land uses with different noise environments. For office uses, the guidelines recommend no special noise control measures in an exterior noise environment up to an Ldn of 70 dBA. Since the noise levels do not exceed the recommended guideline level for an office building, special noise insulation would not be necessary in the building design and further analysis of this topic is not required in the EIR.

Project operation would not result in noise levels greater than those presently existing in the area. The amount of traffic generated by the project during any hour of the day and cumulative traffic increases at the time of project completion would cause traffic noise levels to increase by less than 1 dBA. To produce a noticeable increase in environmental noise, a doubling of existing traffic volume would be required. Traffic increases of this magnitude would not occur with anticipated incremental development. /9/

During lulls in traffic, mechanical equipment generating 70 dBA could dominate the noise environment at the site. The building will include design features limiting mechanical equipment noise levels to 60 dBA. The noise levels would not be perceptible within the sound level context of the project. This noise level is compatible with the San Francisco Noise Ordinance, "Fixed Source Noise Levels," which limits mechanical equipment noise at the property line in a C-3-G zone to 70 dBA between 7:00 a.m. and 10:00 p.m. and 60 dBA between 10:00 p.m. and 7:00 a.m. Therefore, a discussion of operational noise will not be included within the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| G. Light and Glare. Could the project cause? | | | |
| 1. New light or glare? | X | | |

The project will create a new source of night lighting. Although the night lighting will not affect nearby similar land uses, the potential exists for impact on nearby residential structures. Prudent building design will lessen glare. Mitigation measures would include automatic timers which allow 12-hour operation and automatic turn-off. In addition, the building would include manual overrides for evening janitorial staff. Finally, the building would use lighting designed to avoid glare and would not use reflective glass. The plaza would have non-glare lighting with minimal foot candles for foot traffic and safety. Impacts associated with light and glare will not be discussed in the EIR because the above mentioned mitigation measures will reduce the impacts to an insignificant level.

| | Yes | Maybe | No |
|---|---|---|---|
| H. Land Use. Could the project cause? | | | |
| 1. A substantial alteration of the present or planned land use in the area? | | X | |

Four structures currently used for restaurant, retail and educational purposes and a two-level parking lot currently occupy the project site. The proposed project would result in demolition of all of the structures as well as the parking lot and would change the site's land use to educational and governmental, including office space. Restaurant and retail use as well as a parking lot will also be included within the proposed project. This change in land use, in turn, has the potential to alter future land uses within a block or two of the project because the increase in number of on-site employees would create additional demand for retail services, restaurants, etc.

The project site lies adjacent to the core San Francisco Civic Center area. Current land use within this area is predominantly governmental and includes City, State and Federal office buildings. The project site also borders the Tenderloin district, a low-income neighborhood containing commerical activities and a supply of low cost housing units. As a result of the site's location, it is surrounded by a variety of land uses.

The project site is zoned C-3-G, Downtown General Commercial. The C-3-G district is composed of a variety of land uses including office, institutional, retail and residential. Land directly opposite Lots 10 and 11 on Golden Gate Avenue as well as the residential property bordering the site's southern perimeter was recently rezoned from C-3-G to North of Market Residential Special Use District. However, the project site zoning classification remains C-3-G. The height and bulk classification is 80-X permitting a locally allowed height of 80 feet with no bulk limitations.

The EIR will include a discussion of land use.

| | Yes | Maybe | No |
|---|---|---|---|
| I. Natural Resources. Could the project cause? | | | |
| 1. An increase in the rate of use of any natural resources? | | X | |
| 2. Substantial depletion of any non-renewable natural resource? | | | X |

The proposed project will result in the use of energy and building materials. See this Initial Study, Energy for a discussion of this issue.

| | Yes | Maybe | No |
|---|---|---|---|
| J. Risk of Upset. Could the project cause? | | | |
| 1. Risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an an accident or upset conditions? | | X | |
| 2. Interference with emergency response plans or emergency evacuation plans? | | | X |

The project would not increase daytime population in San Francisco because employees of the project will be relocating to the project site from other locations within San Francisco. Thus, employees should not contribute to congestion in the event an emergency evacuation of the City were required. An evacuation and emergency response plan would be developed as part of the proposed project, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between the City's emergency planning activities and the project's plan and to provide for building occupants in the event of an emergency. This mitigation measure will reduce any impacts to an insignificant level and this issue will not be discussed in the EIR.

The four structures that would be demolished are older, built between the years of 1906 and 1948, and may contain toxic materials such as asbestos in their insulation. Before demolition, a study will be done to determine whether these toxic materials are present. If such materials are found, there is a potential that the materials may be released during demolition. If toxics are found, all possible precautions will be taken to avoid human health hazards. Demolition would occur only under strict control and after appropriate disposal sites are identified. This mitigation measure will reduce potential impacts to an insignificant level. Therefore, this issue will not be addressed in the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| K. Population. Could the project cause? | | | |
| 1. An alteration in the location, distribution, density, or growth rate of the human population of an area? | X | | |

The proposed project would increase the daytime density of the site by consolidating into one building various governmental agencies now dispersed at various locations throughout San Francisco. Because the proposed project will contain approximately 144,000 net square feet of rentable office space, calculations indicate that approximately 960 employees will be working within the project site.

This issue will be analyzed in the EIR.

| | | | |
|---|---|---|---|
| L. Housing. Could the project cause? | | | |
| 1. An affect on existing housing or create a demand for additional housing? | | X | |

The proposed project involves moving workers from one location to another within San Francisco. These workers are not expected to create a demand for additional housing because it is anticipated that they will continue residing in their present locations.

The proposed project will result in the demolition of four structures, two of which in the past served as housing units. These issues will be discussed in the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| M. Transportation/Circulation. Could the project cause? | | | |
| 1. Generation of substantial additional vehicular movement? | | X | |
| 2. Effects on existing parking facilities, or demand for new parking? | X | | |
| 3. A substantial impact upon existing transportation systems? | | | X |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | X | | |
| 5. Alterations to waterborne, rail or air traffic? | | | X |
| 6. An increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | | X | |

The increase in the number of employees at the project site would increase demand on existing transportation systems. Although the effects of the project itself on existing transportation systems are not expected to be substantial, the cumulative effects of office development has the potential for impact on transportation systems. Project related and cumulative transportation, parking and circulation impacts will be discussed in the EIR.

Transportation impacts which may result from truck movements to and from the project site during the periods of demolition, excavation and construction will also be described in the EIR.

N. Public Services. Could the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas?

| | Yes | Maybe | No |
|---|---|---|---|
| 1. Fire protection? | | X | |
| 2. Police protection? | | X | |
| 3. Schools? | | | X |
| 4. Parks and other recreational facilities? | | X | |
| 5. Maintenance of public facilities including roads? | | X | |
| 6. Other governmental services? | | | X |

FIRE

The Downtown Plan EIR projected a small increase in fire incidents in comparison to the increase in non-fire incidents between 1982 and 1984. This small increase was due largely to the fire resistive construction of new buildings. Older buildings, typically constructed of wood and masonry, have had a greater fire demand for Fire Department services than have the newer (and generally larger) steel reinforced concrete buildings that have replaced them.

The proposed project would replace four older structures with a new, steel reinforced concrete building. In addition, the project would comply with Titles 24 and 25 of the California Administrative Code that require all new buildings over 75 feet in height to have sprinkler systems and smoke detection systems throughout. While the project is not required to comply with Life Safety Provisions of the San Francisco Building Code, the project will incorporate emergency response systems stipulated by the Code such as fire alarms, an emergency communication system, an emergency power supply and an emergency water supply.

The proposed project would contribute to the cumulative demand for fire protection services in the C-3 District. By increasing the density of population on the project site, the project has the potential to cause an increase in non-fire incidents such as first-aid calls, resuscitations and false alarms. The Downtown Plan EIR has analyzed impacts anticipated from cumulative downtown development and has identified no significant effects. The Fire Protection setting and impacts discussion in the Downtown Plan EIR (Vol. 1, pp. IV F.6-8; Vol. 2, pp. K.10-13; Vol. 3 pp. F.1-7) is summated below and incorporated herein by reference.

As estimated 7,600 (21%) of the City's 36,000 annual fire and non-fire incidents occur in the C-3 District. The number of annual incidents in the C-3 District is expected to increase to approximately 7,800 by the year 2000. The majority of this increase in yearly incidents would be non-fire incidents (e.g., first aid calls, false alarms, etc.). The increase in fire incidents from 1984 to 2000 would be less than 1% due to the effectiveness of the San Francisco and State Life Safety Code provisions.

Based upon these projections, all Fire Department task units would continue to operate within their annual service limits through the year 2000. The Fire Department anticipates that no new equipment or specialized staff would be needed to meet the demands identified. Two additional building inspectors would be required to maintain annual inspection of all downtown high-rise structures. The proposed project, however, would be inspected by representatives of the State Fire Marshall and would not affect local building inspectors. The issue will not be discussed in the EIR.

POLICE

The Tenderloin area is a high crime area. Most criminal incidents involve non-aggravated assault, disorderly conduct, drunkenness, malicious mischief and prostitution. /10/ Thefts, burglaries and assaults occur frequently. The project site lies within the San Francisco Police Department's Northern District. The average response time in this district is 4.33 minutes for a high priority call and 6.00 minutes for a low priority call.

The State Police would respond to all incidents that occur on the project property or involve State property and would make provisions to secure the building during and after operational hours. The State Police keep one officer on foot patrol and patrol cars within the San Francisco Civic Center area.

By increasing population on the site, the proposed project would contribute to the cumulative demand for local police services. The Downtown Plan EIR has analyzed effects anticipated from downtown development and has identified no significant effects. The police service setting and impact discussion in the Downtown Plan EIR (Vol. 1, pp. IV.F.2-6 and 11-15; Vol. 2, pp. K.2-9, Vol. 3, pp. F.1-7) is summated below and incorporated herein by reference.

An estimated 19% (23,000) of the City's 123,000 annually reported criminal incidents occur in the C-3 District. The number of annual criminal incidents in this district is expected to increase to approximately 24,500 by the year 2000. Based upon projections of new criminal incidents in the C-3 District, an increased demand for approximately 26 Police Department personnel is anticipated through the year 2000. This represents approximately 1% of the existing police force. The Police Department currently has no plans for any future major capital expenditures (such as a new police station) nor would any be needed to meet the demands identified. This issue will not be discussed in the EIR.

## SCHOOLS

Because governmental and educational workers employed within the proposed project would be relocating to the site from other locations within San Francisco, the proposed project would not contribute to an increase in the cumulative demand for school services. The Downtown Plan EIR analyzed the effects anticipated from cumulative development and identified no significant effect on school services. This issue will not be discussed within the EIR.

## RECREATIONAL FACILITIES

The proposed project would increase daytime demand on parks and plazas within the site's vicinity. There is a potential that the Federal Building Plaza would be affected, along with other parks and open space near the project site. The proposed project, however, would include an open space plaza, thereby reducting potential impacts on other open spaces areas within the site's vicinity. This issue will not be discussed within the EIR.

## MAINTENANCE OF ROADS

The proposed project would increase the use of streets in the vicinity. During construction, the project would generate truck traffic. During operation, the project would generate primarily light vehicular traffic, although some delivery trucks would enter and exit the site. This issue will not be discussed within the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| O. Energy. Could the project cause? | | | |
| 1. Use of substantial amounts of fuel or energy? | | X | |
| 2. Substantial increase in demand on existing sources of energy or require the development of new energy sources? | | X | |

Demolition of existing structures, excavation and removal and transport of excavated materials would require an unknown amount of energy. Project construction, including fabrication and transportation of building materials, worker transportation, site development and building construction would require approximately 380 billion BTU of energy in the form of gasoline, electricity, natural gas and diesel fuel. /11/

Project operation would require electricity and natural gas. At this stage in the design of the proposed project, there is insufficient information upon which to base a building energy budget analysis. The proposed project will either meet or exceed standards in Title 24 of the California Administrative Code. Title 24 establishes energy conservation standards for the design and construction of office buildings. /12/ Requirements of the standard will be satisfied through the component performance standards method, requiring incorporation of a set of specific design features, through the use of nondepletable energy resources, or through the energy budget method, demonstrating that the building would consume no more than a specified quantity of energy. Wherever appropriate and economically feasible, the building will incorporate energy conserving design features.

The EIR will analyze energy impacts.

|  | Yes | Maybe | No |
|---|---|---|---|
| P. Utilities. Could the project result in a need for new system, or substantial alterations to the following utilities? |  |  |  |
| 1. Power or natural gas? | X |  |  |
| 2. Communication system? | X |  |  |
| 3. Water? | X |  |  |
| 4. Sewer or septic tanks? | X |  |  |
| 5. Storm water drainage? |  | X |  |
| 6. Solid waste and disposal? | X |  |  |

The proposed project would contribute to the cumulative demand for community services. Impacts anticipated from cumulative downtown development have been analyzed in the Downtown Plan EIR and no significant impacts have been identified. The community service setting and impacts discussion in the Downtown Plan EIR (Vol. 1, pp. VI.F.1-21; Vol. 2, pp. A.6-7 and K.1-13; Vol. 3, pp. F.1-7) is summarized below and incorporated herein by reference.

WATER

The proposed project would generate demand for approximately 6,600 gallons of water per day during the summer and 5,900 gpd during the winter. The existing 16-inch main on Larkin Street or the existing 6-inch main on Golden Gate Avenue would serve the project. The San Francisco Water Department would be able to meet project generated demand. /13/ This issue will not be addressed in the EIR.

SEWER

The project would generate about 6,600 gallons per day of dry weather wastewater flows. The existing sewer mains are adequate to handle the flow. /14/ A new sewer system is currently being built pursuant to the City's Clean Water Program. The system is intended to handle combined volumes of sewage and rainwater runoff. Since the capacity of the system is designed to handle rainwater flows (which can be 50 times the volume of regular sewage) additional development in the C-3 district would not affect operation of the sewage system. This issue will not be discussed in the EIR.

## POWER

Gas and electricity would be provided by Pacific Gas and Electric Company (PG&E). Depending upon demand of the project, it may be necessary for PG&E to install new connection facilities. /15/ An analysis of project energy consumption will be included in the EIR.

## COMMUNICATIONS

Pacific Bell would provide phone service to the site and anticipates no problem in meeting the demand of the project. /16/ This issue will not be discussed in the EIR.

## STORM WATER DRAINAGE

Runoff now drains into the combined city storm and sewer system. This drainage would continue. However, the distribution of runoff could be altered. Rain usually falls at an angle and runoff that would have fallen in an area beyond the project site would be blocked by the building and fall on the project site. As a result, the building will probably be responsible for a higher degree of on-site runoff, while areas blocked by the building may receive less runoff. This would not be a significant effect because drainage into the city storm and sewer system would continue and the storm drains have the capacity to handle the flow. This topic will not be included in the EIR.

## SOLID WASTE

The C-3 district produced about 78,000 tons of solid waste in 1984, equal to about 13% of the City's total non-recyclable solid waste. Until November 1, 1988, the City's solid waste will be disposed of at the Altamont Hills Landfill in Alameda County. Waste from the C-3 district is collected weekly on regular routes established by the Golden Gate Disposal Company under contract to the City and County of San Francisco. From collection points the waste is trucked to a transfer station in Brisbane, where the waste is transferred to larger trucks and hauled about 55 miles to the Altamont Hills landfill.

Pursuant to the San Francisco County Solid Waste Management Plan, the City is currently searching for additional landfill capacity to accomodate the City's solid waste generated in the years after 1988. The Solid Waste Management Plan also emphasizes the construction of a Resource Recovery Facility which would reduce the need for future landfill capacity, encourage recycling and produce electricity which could be sold.

By the year 2000, the C-3 district is expected to produce about 45,000 tons of solid waste. The generate shift in land use from industrial to office which is anticipated in this district would in turn cause a shift in solid waste composition, resulting in more paper and less metal, wood crating and other industrial materials.

Upon completion of the proposed project it is estimated that approximately 0.7 tons of solid waste per day would be generated. Approximately 1/3 of this amount would be recyclable white ledger paper. To mitigate impacts associated with the generation of solid waste, a recycling program will be implemented upon project completion. This issue will not be discussed within the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| Q. Human Health. Could the project cause? | | | |
| 1. Creation of any health hazards or potential health hazards? | | X | |
| 2. Exposure of people to potential health hazards? | | X | |

The four buildings to be demolished for the proposed project may contain toxic materials such as asbestos in their insulation. See this Initial Study, Risk of Upset for a discussion of this potential impact and corresponding mitigation measures.

| | Yes | Maybe | No |
|---|---|---|---|
| R. Aesthetics. Could the project result in? | | | |
| 1. Obstruction of any scenic vista or view open to the public or will the proposal result in the creation of an aesthetically offensive site open to the public view? | | | X |

The proposed project will alter views from nearby streets and buildings. From nearby street level locations on Golden Gate Avenue and Larkin Street, views of the project would include the full height of the building. Views from surrounding streets, including Hyde and McAllister Streets, would include portions of the proposed project. From these streets, the view of the project would blend with the existing State and Federal buildings and with the six-story Hastings Law Library.

An essential issue is whether the proposed project will integrate with the surrounding structures, creating a sense of transition from the core Civic Center area to the Tenderloin area. The Civic Center government buildings are primarily monumental structures dating to the the 1910s and 1920s, while structures in the Tenderloin are primarily low-rise structures constructed prior to 1945. To avoid an adverse effect, the design of the project will incorporate materials complementary to those used in surrounding buildings. This issue will be included within the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| S. Recreation. Could the project cause? | | | |
| 1. An impact upon the quality or quantity of existing recreational opportunities? | | X | |

The proposed project would increase daytime demand on parks and plazas within the site's vicinity. There is a potential that the Federal Building plaza and other parks near the site will be affected. Any potential impacts would be reduced because an open space plaza will be incorporated into the project's design. This issue will not be discussed within the EIR.

| | Yes | Maybe | No |
|---|---|---|---|
| T. Cultural Resources. Could the project cause? | | | |
| 1. Any alteration or destruction of a prehistoric or historic archaeological site? | | X | |
| 2. Adverse physical or aesthetic effects to a prehistoric or historic building, structure or object? | | | X |
| 3. A physical change which would affect unique ethnic cultural values? | | | X |
| 4. A restriction in existing religious or sacred uses within the potential impact area? | | | X |

A preliminary cultural records search revealed that the project site is approximately 1,000 feet from the "oldest dated human remains from San Francisco" and indicated that the probability of finding historic and prehistoric cultural resources within the project area is high. /17/ As a result, further archival research was undertaken. This research suggested that archaeological deposits dating to the early American occupation and preceding prehistoric and Spanish-Mexican periods may be present within the project area. The research contained the recommendation that additional archival research be performed both to identify specific households that occupied the project area prior to 1906 and to provide information necessary to accurately position test trenches. These recommendations will be followed. In addition, an archaeologist will meet with soils engineers prior to taking soil samples in order to communicate to the engineers information which may be of use in assessing the integrity of potential archaeological deposits. Based upon the results of the soils sample, the construction contracts will specify measures necessary to preserve artifacts. Archaeological impacts will be discussed in the EIR.

All of the on-site structures are rated "D" by the Foundation for San Francisco's Architectural Heritage with the exception of the structure located at 361-365 Golden Gate Avenue which is rated "C." /18/ Buildings rated "D" are recognized to be of minor or no importance while buildings rated "C" are recognized to be of contextual importance. None of the on-site structures are on the

City's List of Architecturally Significant Buildings. In the fall of 1984, the State Office of Historic Preservation declined to nominate any of the buildings to the Department of Interior for inclusion on the National Register of Historic Places. /19/

This issue will be discussed within the EIR.

## III. COMPATIBILITY WITH EXISTING PLANS

An examination of whether the project would be consistent with existing zoning, plans and other appropriate land use controls will be included with the EIR.

## IV. CAMPUS/COMMUNITY CONTROVERSY

The College is aware of controversy concerning the proposed project and the EIR will contain a discussion of this issue.

## V. ALTERNATIVES TO THE PROPOSED PROJECT

A. No-Project: This alternative would entail no change to the project site as it currently exists. All four buildings now occupying the site would remain, presumably in current condition and use. The parking lot would also remain. The College would not acquire needed educational space and governmental agencies would continue to be dispersed at various locations throughout San Francisco.

B. Ten Story Structure: A 10-story, 130-foot building would contain space for educational and governmental use, including offices. A meeting/conference room, restaurant and open space plaza would be included in the project.

C. Ten Story Structure with Roof Terraces on the 9th and 10th Floors: This alternative would consist of a 10-story, 130-foot building with space for educational and governmental use, including offices. A meeting/conference room, restaurant and open space plaza would be included in the project. The proposed structure would be shaped at the top to include roof terraces.

D. Six Story Structure with No Plaza: This alternative would be 80-feet in height but would not include an open space plaza.

Alternatives will be discussed within the EIR.

## VI. MANDATORY FINDINGS OF SIGNIFICANCE

| | Yes | Maybe | No |
|---|---|---|---|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate or plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history? | | | X |
| 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | | | X |
| 3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? | | X | |
| 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | X |
| 5. Is there a serious public controversy concerning the possible environmental effects of the project? | | | X |

## VII. DETERMINATION

On the basis of this Initial Study:

______ I find the proposed project COULD NOT have a significant on the environment and a NEGATIVE DECLARATION will be prepared.

______ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures described in this Initial Study have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

[✓] I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

UNIVERSITY OF CALIFORNIA,
HASTINGS COLLEGE OF THE LAW

Date: 1/6/84 By: ______
Dean Bert S. Prunty

## Notes, Initial Study

/1/ Harding Lawson Associates for Milton Meyer & Company, Preliminary Soil Investigation, State of California Office Building San Francisco, California, November 29, 1984.

/2/ Ibid.

/3/ Ibid.

/4/ City and County of San Francisco, The Comprehensive Plan, Community Safety Element, 1974.

/5/ Op. Cit., November 29, 1984.

/6/ Ibid.

/7/ Mr. Swaim, San Francisco Water Department, telephone conversation, July 2, 1985.

/8/ City and County of San Francisco, The Comprehensive Plan, Environmental Protection Element, 1974.

/9/ See Downtown Plan EIR Section IV.E. generally and Section IV.J., 8-18. Increases of 1 dBA or less in environmental noise are not noticeable by most people outside a laboratory situation (National Academy of Sciences, Highway Research Board, Rsch. Rpt. No. 117 (1971)). (See FHWA Highway Traffic Noise Prediction Model, Rpt. #FHWA-RD-77-108, December 1978, p. 8, regarding doubling of traffic volumes producing increases of 3 dBA or more which are noticed by most people.)

/10/ City and County of San Francisco, Downtown Plan EIR, Vol. 1, p. IV.F.5.

/11/ Hannon, B. et. al., 1978, "Energy and Labor in the Construction Sector," Science 202: pp. 837-847.

/12/ State energy efficiency standards are described in Energy Resources Conservation and Development Commission, February 1980, Conservation Division Regulations Establishing Energy Conservation Standards for New Residential Buildings and New Non-residential Buildings, California Administrative Code, Title 24.

/13/ Mr. Swaim, San Francisco Water Department, telephone conversation, July 2, 1985.

/14/ Nathan Lee, San Francisco Sanitary Engineer, telephone conversation, July 2, 1985.

/15/ William McIntosh, PG&E, telephone conversation, May 10, 1985.

/16/ Charles Colgate, Pacific Bell, telephone conversation, May 10, 1985.

/17/ Letter from Lisa C. Hagel, California Archaeological Inventory, to Roxane Dal Porto, Department of General Services, January 4, 1985.

/18/ Memo from Sally Maxwell, SFDCP to Roxane Dal Porto, Department of General Services, December 10, 1984.

/19/ Grant Dehort, Foundation for San Francisco's Architectural Heritage, telephone conversation, December 3, 1984.

## Appendix B

### LEVEL OF SERVICE INTERPRETATION

| Level of Service | Description | Average Vehicle Delay (Seconds) | Volume To Capacity Ratio |
|---|---|---|---|
| A | Free Flow. No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. Insignificant delays. | 0-16 | 0.0-0.59 |
| B | Stable Operation. An occasional approach phase is fully utilized. Many drivers begin to feel somewhat restricted within platoons of vehicles. Minimal delays. | 16-22 | 0.60-0.69 |
| C | Stable Operation. An occasional approach phase may become fully utilized. Most drivers feel somewhat restricted. Acceptable delays. | 22-28 | 0.70-079 |
| D | Approaching Unstable. Drivers may have to wait through more than one red signal indication. Queues develop but dissipate rapidly, without excessive delays. | 28-35 | 0.80-0.89 |
| E | Unstable Operation. Volumes at or near capacity. Vehicles may wait through several signal cycles. Long queues form upstream from intersection. Significant delays. | 35-40 | 0.90-0.99 |
| F | Forced Flow. Represents jammed conditions. Intersection operates below capacity with low volumes. Queues may block upstream intersections. Excessive delays. | 40 or greater | 1.00 and above |

Source: "Highway Capacity Manual," Highway Research Board, Special Report No. 87, Washington, D.C., 1965.

"Interim Materials on Highway Capacity," Transportation Research Board, Circular No. 212, Washington, D.C., January, 1980.

## APPENDIX C

### Downtown Plan DEIR Methodology

The Downtown Plan DEIR presents a refinement of the existing process in which projections of employment growth, are used to project future travel.

Future implementation of planned transit service improvement is assumed, as discussed in Appendix J of the Downtown Plan DEIR. These improvements would allow the transit system to keep pace with demand increases. The analysis anticipates that regional auto demand would continue to increase congestion on the bridges and freeways serving the City. The Downtown Plan DEIR analysis projects a shift in commuting forms from single-occupant auto use (driving alone) to transit use and ridesharing (carpool, vanpool).

The travel data in the Downtown Plan DEIR transportation sections (and in this report) are projections of total demand on the transportation system serving San Francisco. The projections are comprised of three components of travel demand. The first two components are C-3 District work (employee journey-to-work) travel and C-3 District non-work (all other) travel. The third component is non C-3 District travel, which was forecast through an analysis of regional trends adjusted for development in the C-3 District.

Although the C-3 District modeling process used analytical techniques common to travel forecasting, several portions of the process are unique to the C-3 District. This uniqueness results from the two major databases used: an inventory of existing land uses in the district and surveys of employees and employers in the district. The data developed from the surveys and the inventory have been used as the basis from which to make forecasts of development and employment growth in the C-3 District. The employment forecasts have been used as the basis for the travel demand modeling process. As previously described, the C-3 District travel comprised two of the three components of total travel.

Through a complex calibration and validation process of comparing projections of travel demand (modeling on the basis of the survey of C-3 District employees) to actual travel (from measures made by State, City and regional agencies), work and non-work travel demand from the C-3

District was modeled for the years 1984, 1990 and 2000. The modeling process is comprised of the following steps:

- Trip generation rates (empirical measures of total travel to and from a specific land use) were applied to employment forecasts by business activity (i.e., different rates were used for various land uses).
- The total travel from the C-3 District was distributed to seven Bay Area zones on the basis of projections for future employee residence patterns and origin-destination patterns for non-work travel.
- Trips to each of the seven regional zones were assigned to travel modes on the basis of modal splits (distribution of travel over the transportation modes, auto, transit, etc.) developed from the C-3 District surveys.

At this stage of the process, the model forecasts total travel from the C-3 District. To complete the process and allow analysis of the effect of C-3 District travel on the transportation network, the non-C-3 travel demand was analyzed. The total travel demand was calculated by summing up C-3 District and non-C-3 District work and non-work travel and non-C-3 District travel at sub-regional measuring points (called screenlines) located at or just beyond the San Francisco county lines (except for Muni and BART Peninsula service which was measured inside San Francisco, outside the downtown area). The total travel demand was then compared to available service (capacity) at the screenlines, and operating conditions (demand-to-capacity ratios) were analyzed assuming planned improvements. The results of these analyses are summarized later in this section.

For future years, the C-3 travel modeling process was modified to incorporate changes in travel patterns (modal split changes, different travel times), employee residence patterns and land use patterns. The process incorporates the dynamic aspects of changing Bay Area travel patterns, rather than remaining static over time. An example of past changes in travel patterns can be seen in the amount of carpooling activity on the Bay Bridge. In 1977, peak-period average vehicle occupancy westbound on the bridge was 1.7 persons per vehicle. By 1983, in response to increasing congestion and increased travel and parking costs, peak-period average vehicle occupancy westbound increased to 2.1 persons per vehicle. The non-C-3 travel demand was forecast through the use of growth factor trends in regional and sub-regional travel.

The other process used to forecast cumulative transportation impacts starts with a list of cumulative office and retail development (net new office and retail space) proposed, approved, or under construction in the greater downtown area. From that list, using static employment densities or office and retail uses and established trip generation rates, forecasts of travel demand are made. The forecast travel is assigned to modes on the basis of static modal split factors (not assumed to change over time). The Guidelines for Environmental Review: Transportation Impacts (Department of City Planning, 1983, hereinafter called "Guidelines") describe the process and the data used to calculate transportation impacts.

Table 1 shows projections of year 2000 travel demand from the Downtown Plan DEIR. The Downtown Plan DEIR makes specific projections for C-3 District only. The Downtown Plan DEIR established 1984 as the baseline year and 1990 and 2000 as target study years. Growth estimates were made on the basis of projections for each of the target years. Studies for the Downtown Plan DEIR have confirmed that there is considerable travel between land uses in the downtown area.

The Downtown Plan DEIR travel demand model has refined the trip generation process by incorporating discounting factors that adjust the trip generation rates to give travel to and from the C-3 District as a whole; it does not include trips internal to the C-3 District. Thus, the DEIR forecasts closely resemble actual travel demand from downtown development.

## TABLE 1

## COMPARISON OF OUTBOUND PM PEAK-HOUR CUMULATIVE TRAVEL FOR THE C-3 DISTRICT PERSON TRIPS

| | Downtown Plan[1] (1984-2000) |
|---|---|
| Work Person Trips | 41,400 |
| Other Person Trips | 12,100 |
| **Total Person Trips** | **53,500** |
| **Muni** | |
| Northeast | 1,600 |
| Northwest | 1,800 |
| Southeast | 1,100 |
| Southwest | 1,100 |
| **BART** | |
| East Bay | 11,800 |
| Peninsula | 2,400 |
| **AC Transit** | 200 |
| **GGT** | |
| Bus | 3,200 |
| Ferry | 800 |
| **SamTrans** | 1,200 |
| **SPRR/CalTrain** | 1,800 |
| **Regional Auto** | |
| Golden Gate Bridge | 410 |
| Bay Bridge | 1,250 |
| U.S. 101 | 470 |
| Interstate 280 | 470 |

---

[1] Travel from the C-3 District only. The analysis used in the Downtown Plan DEIR assumes regional travel growth not shown in the above data but discussed in the remainder of this section.

Source: San Francisco Department of City Planning, 299 Second Street EIR, Draft 83.311E, February 8, 1985, p. 93.

The Downtown Plan DEIR analysis has incorporated changes in both the regional trip distribution (reflecting projected housing availability) and the modal splits (reflecting projected availability of roadway and transit capacity in the future).

The Downtown Plan DEIR analysis has assumed that the modal split would change over time to reflect the increasing congestion at the regional screenlines. Thus, because the Bay Bridge eastbound is at or near capacity in the PM peak hour, the Downtown Plan DEIR modal split projects proportionately less auto demand to the East Bay than does the list-based analysis. Similarly, for AC Transit, the Downtown Plan DEIR recognizes that current regional transit policy dictates no increases in AC Transit transbay service and thus, AC Transit's ability to carry additional riders transbay will be restricted in the future. The changing modal split is a refinement that allows the travel mode to more accurately forecast travel demand. Thus, the Downtown Plan DEIR results represent a more accurate level of projection than has been possible to achieve using other methods and data available to date.

The Downtown Plan DEIR and the Consultant's Report on Downtown Growth Management Alternatives (Environmental Science Associates, 1983) contain extensive discussions of the analyses and data used to forecast employment, land use, and transportation demand.

# APPENDIX D

## FUNDAMENTAL CONCEPTS OF ENVIRONMENTAL NOISE

This section provides background information to aid in understanding the technical aspects of this report.

Three dimensions of environmental noise are important in determining subjective response. These are:

a. the intensity or level of the sound

b. the frequency spectrum of the sound

c. the time-varying character of the sound

Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing.

The "frequency" of a sound refers to the number of complete pressure fluctuations per second in the sound. The unit of measurement is the cycle per second (cps) or Hertz (Hz). Most of the sounds which we hear in the environment do not consist of a single frequency, but of a broad bend of frequencies, differing in level. The quantitative expression of the frequency and level content of a sound is its sound spectrum. A sound spectrum for engineering purposes is typically described in terms of octave bands which separate the audible frequency range (for human beings, from about 20 to 20,000 Hz) into ten segments.

Many rating methods have been devised to permit comparisons of sounds having quite different spectra. Fortunately, the simplest method correlates with human response practically as well as the more complex methods. This method consists of evaluating all of the frequencies of a sound in accordance with a weighting that progressively and severely deemphasizes the importance of frequency components below 1000 Hz, with mild deemphasis above 5000 Hz. This type of frequency weighting reflects the fact that human hearing is less sensitive at low frequencies and extreme high frequencies than in the frequency midrange.

The weighting curve described above is called "A" weighting, and the level so measured is called the "A-weighted sound level," or simply "A-level."

The A-level in decibels is expressed "dBA"; the appended letter "A" is a reminder of the particular kind of weighting used for the measurement. In practice, the A-level of a sound source is conveniently measured using a sound level meter that includes an electrical filter corresponding to the A-weighting curve. All U.S. and international standard sound level meters include such a filter. Typical A-levels measured in the environment and in industry are shown in Figure 1.

Although the A-level may adequately describe environmental noise at any instant in time, the fact is that the community noise level varies continuously. Most environmental noise includes a conglomeration of distant noise sources which create a relatively steady background noise in which no particular source is identifiable. These distant sources may include traffic, wind in trees, industrial activities, etc. These noise sources are relatively constant from moment to moment, but vary slowly from hour to hour as natural forces change or as human activity follows its daily cycle. Superimposed on this slowly varying background is a succession of identifiable noisy events of brief duration. These may include nearby activities or single vehicle passages, aircraft flyovers, etc., which cause the environmental noise level to vary from instant to instant.

To describe the time-varying character of environmental noise, the statistical noise descriptors L10, L50, and L90 are commonly used. The L10 is the A-weighted sound level equaled or exceeded during 10 percent of a stated time period. The L10 is considered a good measure of the "average peak" noise. The L50 is the A-weighted sound level that is equaled or exceeded 50 percent of a stated time period. The L50 represents the median sound level. The L90 is the A-weighted sound level equaled or exceeded during 90 percent of a stated time period. The L90 is used to describe the background noise.

As it is often cumbersome to describe the noise environment with these statistical descriptors, a single number descriptor called the Leq is also widely used. The Leq is defined as the equivalent steady-state sound level which in a stated period of time would contain the same acoustic energy as the time-varying sound level during the same time period. The Leq is particularly useful in describing the subjective change in an environment where the source of noise remains the same but there is change in the level of activity. Widening roads and/or increasing traffic are examples of this kind of situation.

In determining the daily measure of environmental noise, it is important to account for the difference in response of people to daytime and nighttime noises. During the nighttime, exterior background noises are generally lower than the daytime levels. However, most household noise also decreases at night and exterior noises become very noticeable. Further, most people are sleeping at night and are very sensitive to noise intrusion.

To account for human sensitivity to nighttime noise levels a descriptor, Ldn, (day-night equivalent sound level) was developed. The Ldn divides the 24-hour day into the daytime of 7 a.m. to 10 p.m. and the nighttime of 10 p.m. to 7 a.m. The nighttime noise level is weighted 10 dB higher than the daytime noise level. The Ldn, then, is the A-weighted average sound level in decibels during a 24-hour period with 10 dBA added to the hourly Leqs during the nighttime. For highway noise environments the Leq during the peak traffic hour is approximately equal to the Ldn.

The effects of noise on people can be listed in three general categories:

1. subjective effects of annoyance, nuisance, dissatisfaction

2. interference with activities such as speech, sleep, learning

3. physiological effects such as startle, hearing loss

The sound levels associated with environmental noise, in almost every case, produce effects only in the first two categories. Unfortunately, there is as yet no completely satisfactory measure of the subject effects of noise, or of the corresponding reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance, and habituation to noise over differing individual past experiences with noise.

Thus, an important parameter in determining a person's subjective reaction to a new noise is the existing noise environment to which one has adapted: the so-called "ambient" noise. "Ambient" is defined as "the all-encompassing noise associated with a given environment, being a composite of sounds from many sources, near and far." In general, the more a new noise exceeds the previously existing ambient, the less acceptable the new noise will be judged by the hearers.

With regard to increases in noise level, knowledge of the following relationships will be helpful in understanding the quantitative sections of this report:

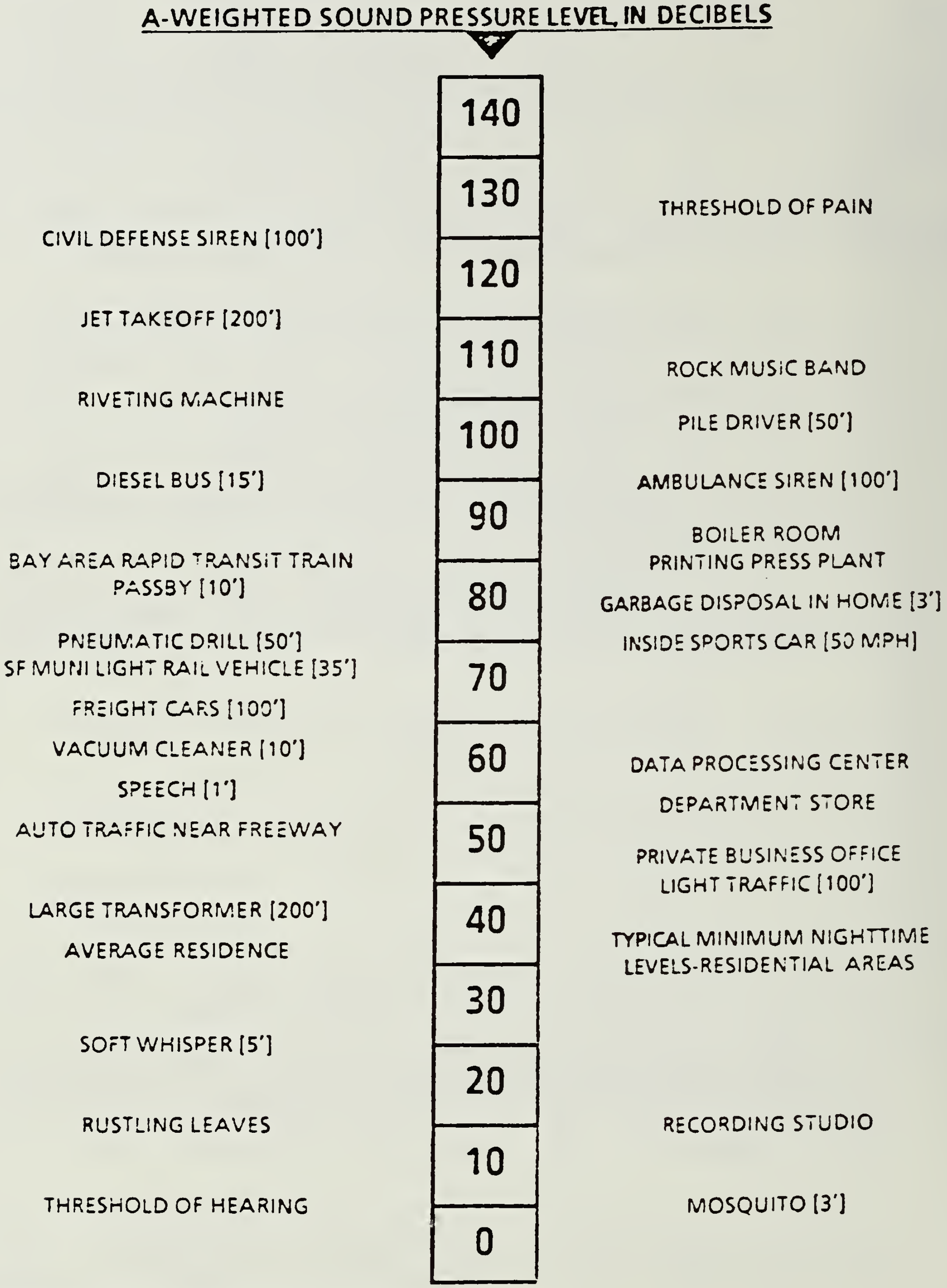
1. Except in carefully controlled laboratory experiments, a change of only 1 dBA cannot be perceived.

2. Outside of the laboratory, a 3-dBA change is considered a just-noticeable difference.

3. A change in level of at least 5 dBA is required before any noticeable change in community response would be expected.

4. A 10-dBA change is subjectively heard as approximately a doubling in loudness, and would almost certainly cause an adverse change in community response.

Source: San Francisco Department of City Planning, Fifth and Market Draft EIR, June 1, 1984, pp. 43 - 46.



[100']-DISTANCE IN FEET BETWEEN SOURCE AND LISTENER

TYPICAL SOUND LEVELS
MEASURED IN THE ENVIRONMENT AND INDUSTRY

# Appendix E

## AIR QUALITY

### SAN FRANCISCO AIR POLLUTANT SUMMARY 1980-1984[1]

| Pollutant | Federal Standard[2] | State Standard[3] | 1980 | 1981 | 1982 | 1983 | 1984 |
|---|---|---|---|---|---|---|---|
| Carbon Monoxide (CO) | | | | | | | |
| 1-hour average (ppm) | 35 | 20 | | | | | |
| Highest hourly average | | | 10 | 8 | — | — | — |
| No. of exceedances | | | 0 | 0 | 0 | 0 | — |
| 8-hour average (ppm) | 9 | 9 | | | | | |
| Highest 8-hour average | | | 7.5 | 5.3 | 9.0 | 5.1 | 10.8 |
| No. of exceedances | | | 0 | 0 | 1 | 0 | 1 |
| Ozone ($O_3$) | | | | | | | |
| 1-hour average (ppm) | .12[4] | .10 | | | | | |
| Highest hourly average | | | 0.09 | 0.07 | 0.08 | 0.13 | 0.10 |
| No. of exceedances | | | 0 | 0 | 0 | 1 | 0 |
| Nitrogen Dioxide ($NO_2$) | | | | | | | |
| 1-hour average (ppm) | None | .25 | | | | | |
| Highest hourly average | | | 0.17 | 0.1 | 0.13 | 0.13 | 0.14 |
| No. of exceedances | | | 0 | 0 | 0 | 0 | 0 |
| Sulphur Dioxide ($SO_2$) | | | | | | | |
| 24-hour average (ppm) | .14 | .05 | | | | | |
| Highest 24-hour average | | | 0.018 | 0.010 | 0.012 | 0.018 | 0.033 |
| No. of exceedances | | | 0 | 0 | 0 | 0 | 0 |
| Total Suspended Particulate (TSP) | | | | | | | |
| 24-hour average (ug/$m^3$) | 260 | 100 | | | | | |
| Highest 24-hour average | | | 103 | 106 | 117 | NA | |
| No. of exceedances | | | 0 | 0 | 0 | 0 | NA |
| Annual Geometric Mean (ug/$m^3$)[5] | 75 | 60 | | | | | |
| Annual Geometric Mean | | | 52.1 | 56.0 | 57.0 | 55.0 | 60.0 |
| Annual Exceedances | | | No | No | No | No | 1 |
| Lead | | | | | | | |
| 3-month average (ug/$m^3$) | 1.5 | None | | | | | |
| Highest 3-month average | | | 0.53 | 0.35 | — | — | — |
| No. of exceedances | | | 0 | 0 | — | — | — |
| 1-month average (ug/$m^3$) | None | 1.5 | — | — | — | — | — |
| No. of exceedances | — | — | — | — | — | — | — |

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[1] 1980-1984 data collected at 900 - 23rd Street.

[2] Federal standard is not to be exceeded more than once per year. Annual average standards are not to be exceeded.

[3] State standards are not to be equalled or exceeded. The state one-hour average CO standard was reduced from 40 ppm to 20 ppm in 1982.

[4] The federal standard is given in terms of Expected Annual Excesses, which is based on a three-year running average.

[5] The annual geometric mean is a single number which applies to an entire year of data. "No" indicxates TSP concentrations did not exceed 60 (ug/$m^3$).

Note:
ppm = parts per million
ug/$m^3$ = micrograms per cubic meter
mg/$m^3$ = milligrams per cubic meter

Source: BAAQMD, Air Pollution in the Bay Area by Station and Contaminant, March issues, 1980-1985; and California Air Resources Board, California Air Quality Data, Annual Summaries, 1979-1982.